

Also, a bill (H. R. 5591) to classify employees in the motor-vehicle service of the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. OVERSTREET: A bill (H. R. 5592) to revive the right of action under the act of March 12, 1863 (12 Stat. L., p. 820); to the Committee on the Judiciary.

By Mr. DOWELL: Joint resolution (H. J. Res. 98) authorizing the Secretary of War to transfer certain buildings and equipment located at Camp Dodge, Iowa, to the Iowa State College of Agriculture and Mechanic Arts; to the Committee on Military Affairs.

By Mr. IRELAND: Resolution (H. Res. 77) authorizing the Doorkeeper of the House to appoint an additional page; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHANDLER of Oklahoma: A bill (H. R. 5593) granting a pension to Martha Ousley; to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 5594) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in the claims of the Omaha Tribe of Indians of Nebraska against the United States; to the Committee on Indian Affairs.

By Mr. KLINE of Pennsylvania: A bill (H. R. 5595) granting a pension to Martin Cuthbert; to the Committee on Invalid Pensions.

By Mr. LAMPERT: A bill (H. R. 5596) granting a pension to Myra C. Robbins; to the Committee on Invalid Pensions.

By Mr. McSWAIN: A bill (H. R. 5597) granting a pension to Nettie May Jernegan; to the Committee on Pensions.

By Mr. MEAD: A bill (H. R. 5598) authorizing the Secretary of War to donate to the village of East Aurora, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5599) authorizing the Secretary of War to donate to the village of Hamburg, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5600) granting an increase of pension to George Flewacki; to the Committee on Pensions.

By Mr. O'CONNOR: A bill (H. R. 5601) for the examination and survey of Bayou Bienvenue, State of Louisiana; to the Committee on Rivers and Harbors.

By Mr. OGDEN: A bill (H. R. 5602) to carry out the findings of the Court of Claims in the case of William E. Woodruff; to the Committee on Claims.

Also, a bill (H. R. 5603) to carry out the findings of the Court of Claims in the case of Daniel F. Griffin; to the Committee on Claims.

Also, a bill (H. R. 5604) to carry out the findings of the Court of Claims in the case of George W. Barth; to the Committee on Claims.

By Mr. OLDFIELD: A bill (H. R. 5605) granting an increase of pension to Cora E. Brown; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 5606) granting a pension to Harry Elkins; to the Committee on Pensions.

By Mr. RYAN: A bill (H. R. 5607) authorizing the Secretary of War to donate to the city of Baltimore, State of Maryland, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SLEMP: A bill (H. R. 5608) granting a pension to Elizabeth M. A. Baumgarner; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 5609) authorizing the Secretary of War to donate to the town of Piercefield, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TAYLOR of New Jersey: A bill (H. R. 5610) granting an increase of pension to Charles J. Kilcullen; to the Committee on Pensions.

By Mr. THOMPSON: A bill (H. R. 5611) granting a pension to William H. Linnabary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5612) authorizing the Secretary of War to donate to the town of Fayette, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WEAVER: A bill (H. R. 5613) granting a pension to Joseph S. Penland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5614) for the relief of Mrs. Cary B. Moore; to the Committee on Claims.

By Mr. WHITE of Maine: A bill (H. R. 5615) granting an increase of pension to Thomas Roy; to the Committee on Pensions.

MOTIONS TO DISCHARGE COMMITTEES.

Under clause 4 of Rule XXVII, motions to discharge committees were filed as follows:

By Mr. WALSH: Motion to discharge the Committee on Revision of the Laws from the further consideration of the bill (H. R. 12) to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force March 4, 1919.

Also, motion to discharge the Committee on Education from the further consideration of the bill (H. R. 25) to create a national university at the seat of the Federal Government.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

405. By Mr. BARBOUR: Petition of Stanislaus County (Calif.) Farmers' Educational and Cooperation Union, favoring excess-profits tax until full cost of the war is paid, and opposed to the sales tax; to the Committee on Ways and Means.

406. By Mr. BURTON: Petition of the city council of the city of Cleveland, Ohio, urging legislation for the consolidation for telephone lines; to the Committee on Interstate and Foreign Commerce.

407. By Mr. GALLIVAN: Petition of Savin Hill Yacht Club, Dorchester, Mass., protesting against tax on pleasure boats; to the Committee on Ways and Means.

408. By Mr. GORMAN: Petition of Council Notre Dame de Londres (Chicago, Ill.), No. 117, urging the defeat of the Smith-Towner bill; to the Committee on Education.

409. By Mr. KING: Petition of Mrs. Gus Keller and 125 other citizens of Quincy, Ill., urging the passage of the Smith-Towner bill; to the Committee on Education.

410. By Mr. KISSEL: Petition of S. Liebmann's Sons (Inc.), Brooklyn, N. Y., urging the repeal of the internal-revenue tax on cereal beverages, etc.; to the Committee on Ways and Means.

411. By Mr. MacGREGOR: Petition of International Brotherhood of Locomotive Engineers, Buffalo, N. Y., protesting against the proposed turnover or sales tax; to the Committee on Ways and Means.

412. By Mr. MEAD: Petition of Charles Werner Fur Co. (Inc.), opposing the present tax on furs; to the Committee on Ways and Means.

413. By Mr. RYAN: Petition of Mrs. Theresa M. Phillips, of New York City, urging the recognition of the Irish republic, etc.; to the Committee on Foreign Affairs.

414. By Mr. STAFFORD: Petition of citizens of the fifth district of Wisconsin, praying for an amendment to the Volstead prohibition act; to the Committee on the Judiciary.

415. By Mr. YATES: Petition of Joseph B. Perkins, Springfield, Ill., favoring the Ralston-Nolan bill; to the Committee on Ways and Means.

SENATE.

Monday, May 2, 1921.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, Thou hast made us for Thyself and we can not rest excepting we rest in Thee. So amid the restlessness of our age and the manifold problems and anxieties that confront us, we do ask that we may hear the still, small voice of Him who said come unto Me and rest. And so amid the day's duties and of the manifold responsibilities may our hearts respond and find even in activity the calm of Thy presence. We ask in Jesus' name. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Thursday, April 28, 1921, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PACIFIC COAST PETROLEUM INDUSTRY.

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Federal Trade Commission, transmitting part 1 of the report of the Commission on the Pacific Coast Petroleum Industry dealing with production, ownership, and profits, in pursuance of Senate resolution 138, Sixty-sixth Congress, first session, which was ordered to lie on the table.

MEMBER OF JOINT COMMISSION ON POSTAL METHODS AND FACILITIES.

The VICE PRESIDENT. Pursuant to the provisions of section 6 of the Post Office appropriation act, approved April 24, 1920, the Chair appoints the Senator from Tennessee [Mr. McKELLAR] a member of the Joint Commission on Postal Methods and Facilities, to fill the vacancy occasioned by the expiration of the term of Hon. Charles B. Henderson, former Senator from Nevada.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a list of papers, documents, and so forth, on the files in the Treasury Department, which are not needed in the conduct of business and have no permanent value or historic interest, and asking for action looking to their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Vice President appointed Mr. MOSES and Mr. FLETCHER members of the committee on the part of the Senate, and ordered that the Secretary of the Senate notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed the joint resolution (S. J. Res. 20) making the sum of \$150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available.

The message also announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 3152. A bill granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.; and

H. J. Res. 52. Joint resolution to authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 407) granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio, and it was thereupon signed by the Vice President.

NEGOTIATION OF TREATIES.

Mr. BRANDEGEE. Mr. President, I have here an article from the Yale Law Journal of March, 1921, containing an article by William W. Dewhurst, of the Florida bar, upon the question of the respective powers of the Senate and the President in the negotiation of treaties. It is an extremely important communication, in my opinion, and I should like to have it printed in the RECORD. It is a very brief article.

The VICE PRESIDENT. Is there objection? If not, it will be so printed.

The article is as follows:

"DOES THE CONSTITUTION MAKE THE PRESIDENT SOLE NEGOTIATOR OF TREATIES?"

[William Whitwell Dewhurst, Florida bar.]

"When the armistice was proclaimed, the President assumed that he had the sole power to negotiate the treaties with Germany and Austria-Hungary, with the Governments of which powers Congress had declared a state of war existed. The President also assumed the power to aid in establishing new nationalities and in determining the territorial boundaries of the Central Powers and of other nations, among them several against which Congress had not declared war. The Senate, without protest, conceded to the President this power with respect to the necessary treaties. Throughout all the proceedings there was no recorded opposition by the Foreign Relations Committee of the Senate, or by any Senator, to the President's claim that the negotiation of the treaties was vested exclusively in him, nor was there even any criticism of his position in this regard.

"As late as the 26th of August, 1919, the President, in his letter to the chairman of the Senate Foreign Relations Committee, gives as a reason why he withheld the treaties with Austria-Hungary, Bulgaria, and Turkey the undesirability of creating the precedent which would be created by submitting to the Senate, or its Committee on Foreign Relations, treaties in their draft form. He states that such a course 'would tend

to take the function of negotiating treaties out of the hands of the Executive, where it is expressly vested by the Constitution.'

"The reply by the chairman of the Foreign Relations Committee to the President's letter admits, 'as of course,' that the committee 'was aware that negotiations are wholly in the hands of the Executive.' This assertion that the sole power to negotiate treaties has been lodged in the President by the Constitution, akin to the prerogative in a monarch, made by the President and expressly assented to by the chairman of the Foreign Relations Committee of the Senate, has been accepted by the press of the country as admitted constitutional law. Numerous editorials have characterized the committee's request for information as to the contents of these pending drafts of treaties as an evidence of a want of respect for the Constitution, and have declared that for the President to yield to such a 'preposterous' demand would be to abandon a great presidential prerogative. (Discussing the Knox resolution, the New York Times in its issue of May 7, 1920, says: 'It [the resolution] must be vetoed, for the state of war can not be ended, the condition of peace can not be restored, by resolution. * * * Mr. Knox does not need to be reminded that the negotiation of treaties is exclusively the business of the President.'

"This was the contention of Secretary Seward with respect to recognition of the Maximilian government in Mexico. In April, 1864, he wrote our minister to France that recognition of Maximilian was a purely executive question. On June 27 the Committee on Foreign Affairs reported to the House a resolution asserting that it belonged to Congress to declare the foreign policy of the United States, and it was the constitutional duty of the President to give effect to that policy in diplomatic negotiations. It may be that the power exercised by President Wilson in making himself sole negotiator, and virtually sole representative of the United States of America to negotiate the several treaties with the Central Powers, conforms to the accepted interpretation of his powers under the Constitution now. Certain it is that the debates in the Constitutional Convention disclose a different view, held by the framers of the Constitution, namely, that the Senate should participate equally with the President in such negotiation. The journal of the Federal convention (published in 1840 under direction of the United States Government from the original manuscripts kept by President Madison and reprinted in 1893) contains a number of illuminating entries with regard to the sense of Article II, section 2, of the Constitution. (Article II, section 2, clause 2, reads as follows: 'The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law * * *')

"The first meeting, at which delegates from seven States were convened, was on May 25, 1787. John Dickinson, of Delaware, and Elbridge Gerry, of Massachusetts, did not take their seats until May 29. On that day Charles Pinckney, from South Carolina, laid before the convention the draft of a federal government which he had prepared, to be agreed upon between the free and independent States of America. Article 7 of this draft reads: 'The Senate shall have the "sole and exclusive power to declare war, to make treaties, and to appoint ambassadors and other ministers to foreign nations," etc.

"On June 26 the convention considered the duration and powers of the Senate. James Wilson, of Pennsylvania, in debate stated:

"Every nation may be regarded in two relations, first, to its own citizens; secondly, to foreign nations. The Senate will probably be the repository of the powers concerning the latter objects. It ought, therefore, to be made respectable in the eyes of foreign nations.

"On August 6 the report of the Committee of Detail was made. The preamble recited, 'We, the people of the States [enumerating them] do ordain, declare, and establish a Constitution for the government of ourselves and our posterity.'

"Article 9, section 1, of the report submitted by the Committee of Detail (for the Constitution to be ordained) reads, 'The Senate of the United States shall have power to make treaties and appoint ambassadors and judges of the Supreme Court.'

"Prior to the reference of the draft of the proposed Constitution to the Committee of Detail on June 18, Mr. Hamilton, who had hitherto been silent on the business before the convention, submitted amendments to the draft offered by Mr. Randolph. Article 4 of Mr. Hamilton's draft reads:

"The supreme executive authority of the United States to be vested in a governor to be elected to serve during good behavior. The authorities and functions of the Executive to be as follows: To have a

negative on all laws about to be passed, and the execution of all laws passed; to have the direction of war when authorized or begun; to have, with the advice and approbation of the Senate, the power of making all treaties, etc.

"On August 23 article 9, section 1, was reported by the Committee of Detail, reading, 'The Senate of the United States shall have power to make treaties,' etc. Gouverneur Morris moved an amendment to the section after the word 'treaties': 'but no treaty shall be binding on the United States which is not ratified by law.'

"Mr. Wilson stated that the King of Great Britain, being obliged to resort to Parliament for the execution of treaties, was under fetters similar to those imposed on the Senate by the amendments proposed by Mr. Morris. Mr. Dickinson supported the amendment, although it was unfavorable to the small States, which would otherwise have an equal share in making treaties.

"Dr. Johnson pointed out that full and complete power was vested in the King of Great Britain. If Parliament should fail to provide the necessary means of execution a treaty would be violated.

"Mr. Gorham stated that negotiations on the spot were not to be desired, that treaties would generally be influenced by two or three men who would be corrupted by the ambassadors sent here. He added, 'In such a Government as ours it is necessary to guard against the Government itself being seduced.'

"Mr. Randolph moved that the motion of Gouverneur Morris be postponed, but the question was lost, the States being equally divided. Mr. Madison suggested for consideration whether a distinction might not be made between different sorts of treaties, allowing the President and Senate to make treaties eventual and of alliance for limited terms, and requiring the concurrence of the whole legislature in other treaties.

"The first section of article 9 was finally referred again to the Committee of Detail.

"On September 4 the Committee of Eleven (on unfinished parts of the Constitution) reported an alteration in the report before the convention, to be amended to read, 'The President, by and with the advice and consent of the Senate, shall have power to make treaties'; substantially the language of clause 2, section 2, Article II, of the Constitution as it now reads.

"On the 7th day of September the above clause, on second reading, being under debate, Mr. Wilson moved to add after the word 'Senate' the words 'and House of Representatives.' He thought the need of secrecy in the business of treaties being inconsistent with obtaining the complete legislative sanction, was outweighed by the importance of the latter. Mr. Sherman thought the power could be safely trusted to the Senate, and that the necessity for secrecy in the case of treaties forbade a reference of them to the whole legislature. Mr. Wilson thought the plan dangerous, as throwing power into the hands of the Senate, and said, 'They are to make treaties and they are to try all impeachments.' 'In allowing them thus * * * to make treaties which are to be laws of the land the legislative, executive, and judiciary powers are all blended in one branch of the Government.' Mr. Wilson's motion was rejected, and the convention agreed to the form of the first sentence. It is evident that the framers of the Constitution understood that the words, 'by and with the advice and consent of the Senate to make treaties,' made the Senate a joint participant from the beginning.

"The provision of Article VI that all treaties shall be among the supreme laws, and hence requiring them to be publicly known, shows that in the debate the words, 'He [the President] shall have power by and with the advice and consent of the Senate to make treaties,' was understood to require that the Senate be joined as negotiator of treaties. Doubtless it was then contemplated that all treaties would be negotiated by an agent or agents selected by the Senate and President jointly, and no member realized that the President might take into his own hands, 'acting in his own proper person,' the negotiating of a treaty, especially a treaty which undertook to parcel out the Eastern Hemisphere and the islands of the seven seas.

"That the Senate was to be joined in all negotiations for a treaty further appears by the later debates on the subject. The proposed clause, 'but no treaty shall be made without the consent of two-thirds of the Members present,' being under consideration, Mr. King stated that as the Executive was here joined in the business, there was a check which did not exist in Congress, where the concurrence of two-thirds was required. Mr. Madison moved to insert, after the word 'treaty,' the words 'except treaties of peace,' allowing these to be made with less difficulty than other treaties. It was agreed to nem. con. Mr. Madison then moved to authorize the Senate, two-thirds assenting, to make treaties of peace without the concurrence of

the President. The President, he said, would necessarily derive so much power and importance from a state of war that he might be tempted to impede a treaty of peace. Mr. Butler seconded the motion. Gouverneur Morris thought the power of the President in this case harmless; that no peace ought to be made without the concurrence of the President. Mr. Butler was strenuous for the motion as a necessary security against ambitious and corrupt Presidents. Mr. Madison's motion failed of adoption. The clause concerning treaties, amended by the exception as to treaties of peace, was then adopted by a vote of eight States in favor and three against.

"On September 8 Mr. King moved to strike out the exception of treaties of peace from the general clause requiring two-thirds of the Senate to make treaties. A reconsideration of the whole clause was agreed to. Gouverneur Morris was against striking out the exception of treaties of peace. He stated that if two-thirds of the Senate should be required for peace, the legislature would be unwilling to make war for that reason, and that besides if a majority of the Senate should be for peace, and be not allowed to make it, they would be apt to effect their purpose in the more disagreeable mode of negating the supplies for war.

"Mr. Williamson remarked that treaties were to be made in the branch of the Government where there might be a majority of the States without a majority of the people; that the small number of Senators constituting a quorum of the Senate should not have the power to decide the conditions of peace. Mr. Wilson said, 'If two-thirds are necessary to make peace, the minority may perpetuate war against the sense of the majority,' a prediction which has been realized. Mr. Gerry enlarged on the danger of putting the essential rights of the Union in the hands of so small a number as the majority of the Senate, representing perhaps not one-fifth of the people. Mr. Sherman was against leaving the rights established by a treaty of peace to the Senate and moved to annex a proviso that no such rights should be ceded without the sanction of the legislature. On the question of striking out 'except treaties of peace,' eight States voted in the affirmative and three in the negative. On motion to strike out the clause requiring two-thirds of the Senate for making treaties, Delaware voted aye and nine States voted no.

"Mr. Rutledge and Mr. Gerry moved that no treaty should be made without the consent of two-thirds of all the Members of the Senate. Mr. Gorham stated that here was a difference between proceedings under the Continental Congress and under the proposed new Constitution, as the President's consent would also be necessary in the new government. On motion to strike out, three States voted aye and eight voted no.

"On September 12 Dr. Johnson, from the committee on style, reported the Constitution in substantially its final form, the first two paragraphs of Article II, section 2, being as they now read. On September 17 the engrossed Constitution being read, and a speech written by Dr. Franklin delivered, urging consent thereto, the Members signed the Constitution.

"The language used by the participants in the debates on the frame of the treaty-making article in the Constitution furnishes no foundation for President Wilson's claim, and the Senate's concession that the function of negotiating treaties is vested wholly in the Executive. It was never suggested in the convention that the President might make treaties, provided two-thirds of the Senate should afterwards approve his action. Such may now be the law by custom established, but it is manifest that the framers of the Constitution contemplated and provided that the Senate should participate in the negotiations.

"Neither was the present accepted construction of the power conferred on the Executive that which was held by our first President, who was a member of the convention. President Washington denied the right of the House of Representatives to be joined in the making of treaties, but he repeatedly asked the Senate's advice in negotiating treaties. (See his communications to the Senate dated, respectively, Feb. 9, Aug. 4, 6, 7, and 11, 1790, and May 8, 1792.)

"It is significant that President Washington asks whether the Senate will advise and consent to his 'ratification of a treaty,' and in proclaiming treaties states that 'by and with the advice and consent of the Senate' he has 'in due form ratified' such treaties.

"An article by James C. Welling, printed in the National Intelligencer of October 30, 1858 (Lieber, Civil Liberty (3d ed., 1874) 135, note), states that on the 22d of August, 1789, the President of the United States came into the Senate Chamber, attended by Gen. Knox, and laid before the Senate a statement of facts in reference to the negotiation of certain treaties with

various Indian tribes. Desiring to fix certain principles on which the negotiations should be conducted, he submitted to the Senate a series of questions, to each of which he requested a categorical answer, to guide him in giving instructions to the commissioners appointed to treat with the Indians. The questions were seven in number and were considered throughout two daily sessions in the presence of the President, and, as appears from the Senate Journal, of Gen. Knox.

"On March 30, 1796, in answer to the House resolution requesting a copy of the instructions to the minister of the United States who negotiated the treaty with the King of Great Britain, and other documents relating to that treaty, President Washington replied at length. He stated that, having been a member of the convention and knowing the principles on which the Constitution was formed, he never had a doubt that the power of making treaties was exclusively vested in the President, by and with the advice and consent of the Senate, provided two-thirds of the Senators present concurred; that the necessity of caution and secrecy was a cogent reason for vesting the power of making treaties in the President, with the advice and consent of the Senate. Throughout the reply he coupled the Senate with the President as the makers of a treaty.

"In 1846 President Polk asked the advice and consent of the Senate in advance upon the ratification of the treaty with Great Britain relative to Oregon and sent the Senate a message in which he wrote:

"I lay before the Senate a proposal, in the form of a convention, presented to the Secretary of State on the 6th instant by the envoy extraordinary and minister plenipotentiary of Her Britannic Majesty for the adjustment of the Oregon question, together with a protocol of this proceeding. I submit this proposal to the consideration of the Senate and request their advice as to the action which, in their judgment, it may be proper to take in reference to it.

"In the early periods of the Government the opinion and advice of the Senate were often sought in advance upon important questions of our foreign policy. Gen. Washington repeatedly consulted the Senate and asked their previous advice upon pending negotiations with foreign powers, and the Senate in every instance responded to his call by giving their advice, to which he always conformed his action. This practice, though rarely resorted to in later times, was, in my judgment, eminently wise, and may on occasions of great importance be revived. The Senate are a branch of the treaty-making power, and by consulting them in advance of his own action upon important measures of foreign policy which may ultimately come before them for their consideration, the President secures harmony of action between that body and himself. The Senate are, moreover, a branch of the war-making power, and it may be eminently proper for the Executive to take the opinion and advice of that body in advance upon any great question which may involve in its decision the issue of peace or war. On the present occasion the magnitude of the subject would induce me under any circumstances to desire the previous advice of the Senate, and that desire is increased by the recent debates and proceedings in Congress, which render it, in my judgment, not only respectful to the Senate but necessary and proper, if not indispensable to insure harmonious action between that body and the Executive. For these reasons I invite the consideration of the Senate to the proposal of the British Government for the settlement of the Oregon question and ask their advice on the subject. Should the Senate, by the constitutional majority required for the ratification of treaties, advise the acceptance of this proposition or advise it with such modifications as they may upon full deliberation deem proper, I shall conform my action to their advice. Should the Senate, however, decline by such constitutional majority to give such advice or to express an opinion on the subject, I shall consider it my duty to reject the offer.

"Both John Jay and Alexander Hamilton prepared and published articles in the *Federalist* with respect to the treaty-making power. Jay states (that by John Jay is No. 64 of the *Federalist*):

"The President and Senators will always be of the number of those who best understand our national interests. With such men the power of making treaties may be safely lodged. The convention have done well in so disposing of the power of making treaties. Although the President must, informing them, act by the advice and consent of the Senate, yet he will be able to manage the business of intelligence in such a manner as prudence may suggest.

"Under the Confederation, Congress alone was intrusted with the power of making treaties, and it required the assent of the 13 States to make a treaty.

"Considering the inconvenience of the negotiation of treaties by a legislative body, Mr. Jay pointed out that for want of secrecy and dispatch in this method, the Constitution vested the power to make treaties in the Senate and the Executive, and thus provided that negotiations for treaties should have every advantage which could be derived from talents, information, integrity, and deliberate investigation on the one hand, and from secrecy and dispatch on the other; that as all constitutional acts of power, whether in the executive or the judicial department, had as much legal validity as if they proceeded from the legislature, the people might commit the power to make treaties to a distinct body of the legislature. Hamilton observed (in No. 75 of the *Federalist*, from which Judge Story quotes largely in his *Commentaries on the Constitution*) that the power of making treaties partook more of the legislative than of the executive character, and belonged properly neither to the legislative nor to the executive; that a man raised from

the station of a private citizen to the rank of Chief Magistrate, possessed of but a slender fortune, and looking forward to a period not very remote when he might be obliged to return to the station from which he was taken, might sometimes be under temptation to sacrifice duty to interest; that an ambitious man might make his own aggrandizement by the aid of a foreign power, the price of his treachery to his constituents. He adds:

"The history of human conduct does not warrant that exalted opinion of human virtue which would make it wise in the nation to commit its interests of so delicate and momentous a kind as concerns its intercourse with the rest of the world to the sole disposal of a magistrate, created and circumstanced as would be a President of the United States.

"He noted that if the making of treaties were intrusted to the Senate alone the Nation would lose a considerable advantage in the management of its external concerns, and the people would lose the additional security which would result from the co-operation of the Executive, and he adds:

"Though it would be imprudent to confide in him solely so important a trust, yet it can not be doubted that his participation would materially aid the safety of the society; that the presidential office will always bid fair to be filled by men of such character as to render their concurrence in the formation of treaties peculiarly desirable; that under the Constitution, because of the cooperation of the President, the people will have greater security against the improper use of the power of making treaties than they enjoyed under the confederation.

"There can be little doubt that the States, in ratifying the proposed Constitution, voted with the general understanding that the Senate was to participate in the negotiation of treaties with foreign nations, and that all acts of the President in the negotiation of such treaties were to be taken with the knowledge and approbation of that body.

"It was Judge Tucker's opinion (1 Tucker's *Blackstone's Commentaries* (1803), Appendix, 335-339) that under the Constitution the Senate is to participate in the conclusion of a treaty as well as its ratification, as appears from his discussion of how, under the Constitution, the plenitude of authority granted to the President and the Senate as the treaty-making power, if abused to the detriment of the public, should be punished.

"This eminent judge held the view: First, that treaties should be concluded by an ambassador appointed by the President, with the advice and consent of the Senate; second, that the instructions given such ambassador should be submitted to and approved by the Senate; third, that such ambassador and even the President himself were subject to impeachment for the abuse to the detriment of the public of the authority which was vested in them by the Constitution.

"Upon the question of the effect of a treaty some of the articles of which may contain stipulations on legislative objects, or such as are especially vested in Congress by the Constitution, Judge Tucker asks:

"Is Congress bound to carry such stipulations into effect, whether they approve or disapprove of them? Have they no negative, no discretion upon the subject? The answer seems to be that it is in no respects an inchoate act. It is the law of the land, and binding upon the Nation and all its parts, except so far as relates to those stipulations. Its final fate in case of refusal on the part of Congress to carry those stipulations into effect would depend on the will of the other nation. (Mr. Justice Iredell in the case of *Ware v. Hylton* (1796), 3 Dall., 199, 272, indicates his agreement on this point with Judge Tucker.)

"Mr. Justice Miller in his lectures on the Constitution noticed the question which has arisen by the presentation to the Senate for ratification of the treaty with France which President Wilson negotiated and signed.

"The learned justice pointed out that there existed a doubt as to the power of the President, by and with the advice and consent of the Senate, to make a treaty with a foreign nation, which according to the Constitution is to be the supreme law of the land, in those matters with respect to which, by other provisions of the Constitution, the concurrence of the House of Representatives is essential to the making of a valid law.

"Under the Constitution war can be declared only with the concurrence of both Houses of Congress. It is reasonable that both Houses of Congress with the approval of the President should make declaration of the termination of war.

"A bill making appropriations for the purchase of Alaska was passed by the House only after that body accepted a report from a conference committee containing a resolution stating that the stipulations of the treaty could not be carried into full force and effect by legislation, to which the consent of both Houses was necessary.

"The proposed treaty with France, signed by the President, requires this country to proceed immediately to the help of France should Germany make an unprovoked attack on that nation. If the Senate shall ratify this proposed treaty, the difficulty may be overcome by the House passing an act reenacting *seriatim* the provisions of the treaty. This was the course pur-

sued in 1816 with respect to the commercial convention of 1815 with Great Britain. With reference to that convention the conference committee of the House of Representatives reported:

"Your committee understood the committee of the Senate to admit the principle contended for by the House, that while some treaties might not require, others may require, legislative provision to carry them into effect; that the decision of the question how far such provision was necessary must be founded upon the peculiar character of the treaty itself.

"President Wilson refused to join in the ratification of the treaty of Versailles with such reservations as two-thirds of the Senate desired.

"President Adams yielded to the judgment of the Senate under like circumstances, as appears by his message of March 2, 1801, wherein addressing the Senate, he said:

"Gentlemen of the Senate, I have considered the advice and consent of the Senate to the ratification of the convention with France under certain conditions.

"Although it would have been more conformable to my own judgment and inclination to have agreed to that instrument unconditionally, yet, as in this point I found I had the misfortune to differ in opinion from so high a constitutional authority as the Senate, I judged it more consistent with the honor and interest of the United States to ratify it under the conditions prescribed than not at all. * * *

"JOHN ADAMS.

"That it would have been better if the President had been required by the Senate to negotiate the treaties with Germany and Austria-Hungary through a duly appointed ambassador or ambassadors upon instructions submitted to and approved by that body must be apparent to all. Had the Senate soon after the armistice exercised its constitutional power of advice, by the adoption of a resolution declaring it to be the sense of that body that the United States declined to join in setting up nations, fixing their boundaries, or assuming any direction or control of the territorial boundaries of the nations of Europe or their colonial possessions it is probable that satisfactory treaties could have been submitted and ratified early in the year 1919.

"The past is now history. The peace of the world would have been sooner and better assured had the authority vested in the Senate by the Constitution been recognized by the President or independently exercised.

"The history of Executive action in the annexation of Texas and the setting up of the Republic of Panama, as well as the late signing of the treaties with Germany, Austria-Hungary, and France, cause thoughtful men to approve of the announced purpose of President-elect Harding, that before attempting to negotiate a new covenant, he will advise with the Senate."

IRISH ADDRESS TO AMERICAN CONGRESS.

Mr. BORAH. Mr. President, I have in my possession an address to the American Congress by the parliament of Ireland, and I ask permission to present the address and have it referred to the Committee on Foreign Relations. I also ask that it may be printed as a public document.

The VICE PRESIDENT. Without objection, it will be received and printed and referred to the Committee on Foreign Relations.

POSTAL EMPLOYEES IN MILITARY SERVICE ABROAD.

Mr. UNDERWOOD. Mr. President, I desire to call the attention of the Senate to the reference of the bill (S. 1377) to amend section 300 of an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended.

On the 30th day of April I introduced the bill in the Senate by unanimous consent and asked for its reference to the Committee on Post Offices and Post Roads. That order was made by the Senate, but the desk referred the bill to the Committee on Finance. I can understand how the desk should have reversed the order of the Senate, because most bills of this character go to the Committee on Finance. It is very natural that it would be supposed that a bill of this nature, thus introduced, should go to the Committee on Finance. But I asked that it should be referred to the Committee on Post Offices and Post Roads for a particular reason. The Postmaster General has made certain recommendations with reference to this proposed legislation and has given the matter consideration, and I wished it to go to the Committee on Post Offices and Post Roads in order that it might be referred to the Post Office Department and have a report on it from that department.

Mr. PENROSE. May I inquire what the bill is about?

Mr. UNDERWOOD. I think there were four or five men in the Postal Service who served in the Great War who lost their lives or were injured in health as the result of service in the field. They do not come under any of the legislation that is now in existence, of course, taking care of ex-soldiers, because they were not soldiers.

I asked unanimous consent at the time for the reference of the bill to the Committee on Post Offices and Post Roads, which

was granted by the Senate. The change of the order was made at the desk. I ask that the original order be carried out and that the bill be referred to the Committee on Post Offices and Post Roads.

Mr. PENROSE. The Senator refers to an original order. Does he mean that the Senate passed a resolution referring the bill?

Mr. UNDERWOOD. No; I mean simply that I asked unanimous consent that it be referred to the Committee on Post Offices and Post Roads and it was so referred. No one has a right to change that order but the Senate itself. That is what I mean.

Mr. SMOOT. I will say to the Senator that all legislation of this character has been referred in the past to the Committee on Finance, as the Senator stated.

Mr. UNDERWOOD. Certainly. If the Senator wishes a change of the reference I am perfectly willing for him to move the change of reference and we will discuss it, but when I get an order made by the Senate of the United States I do not want it changed by anyone but the Senate of the United States.

Mr. SMOOT. That is right.

Mr. UNDERWOOD. That is all I am asking, that the reference be made in accordance with the order I asked for. Then if the members of the Finance Committee think there has been a wrong reference, which was granted at my request by the Senate, I am perfectly willing for them to take it up and I will discuss the question with them.

Mr. PENROSE. I respectfully beg to differ with the Senator from Alabama as to the propriety of the order. Any Senator can introduce a bill by title and mumble a request for unanimous consent to have a reference made. Certainly no one realized the full scope of the bill, if any member of the Finance Committee was present and agreed to the change of reference.

Mr. UNDERWOOD. Does the Senator himself realize what the bill is? Will he state to me what the bill is about?

Mr. PENROSE. No.

Mr. UNDERWOOD. The Senator can not because he does not know.

Mr. PENROSE. Even from the statement the Senator has made I am not able to grasp the full scope of the bill, except that the Senator from Utah [Mr. Smoot] has assured me that it comes within the jurisdiction of the Committee on Finance, as all similar measures have done.

Mr. UNDERWOOD. I am sure the Senator from Pennsylvania does not know anything about this bill.

Mr. PENROSE. I do not, and I do not think the Senate did when it granted the alleged unanimous consent.

Mr. UNDERWOOD. It knew just as much about it as it does in the case of the ordinary references here. I have good reason and there is good reason for the jurisdiction of the bill. What I am objecting to, and what I have a right to object to, is that when an order is granted by the Senate of the United States for the reference of a bill on this floor no one has a right to change that reference but the Senate itself. That is what I am objecting to.

Mr. McCUMBER. Mr. President, I wish to ask the Senator what the record shows with regard to the reference of the bill.

Mr. UNDERWOOD. I do not know. The record may have been changed. I do not know whether it shows it or does not show it.

Mr. McCUMBER. Ordinarily the Vice President directs to what committee a bill shall be referred, and even though a Senator may have asked that it be referred to a certain committee, if the direction of the Chair was to refer it to another committee that is the action of the Senate. What I want to get at is whether it was properly referred.

Mr. UNDERWOOD. I am not criticizing the Vice President, if the Senator thinks that is what I am doing.

Mr. McCUMBER. No; but I wanted to know—

Mr. UNDERWOOD. These references are made by the direction of the Vice President, as a matter of course. I am not making any criticism of the Vice President. I am simply stating what happened. This is the second time it has happened to me during this session of Congress.

There is no Senator on the floor who is more courteous to the membership of the Senate than I try to be. It has been the custom here for a Senator of the United States to get up and ask for a reference, and when his request is granted the bill goes where he asks for the reference. Of course, it is perfectly proper for the Senate to correct it, and if any Senator here at the time does not want the reference made, he has a right to inquire into it. But I asked unanimous consent for this reference to the Committee on Post Offices and Post Roads,

because I wanted to have it considered by that committee, and that order was granted.

Mr. McCUMBER. Then, if the order was granted, the error was by the clerk at the desk in referring the bill to a different committee. My question was designed to ascertain whether that order was granted, and whether the Vice President so referred it, or whether the clerks at the desk were in error in making that reference.

Mr. UNDERWOOD. As I said, I have not stopped to look up the record. I know what I did. I do not know whether the record has been changed or not. I know what I did, and what I am asking of the Senate is that that order made in reference to the bill be put back where I asked it and where the Senate granted the order.

Mr. PENROSE. I ask that the Secretary read the Record containing the alleged unanimous-consent order.

Mr. McCUMBER. It is on page 800 of the Record of April 30.

Mr. PENROSE. I wish to say that I do not care personally whether the Committee on Finance have the bill or not, but there is a regular parliamentary way and an irregular way of doing business in this body.

Mr. UNDERWOOD. I did it in the regular way, I will say to the Senator from Pennsylvania. Of course, I know that if the clerk at the desk wanted to change the reference of the bill or change the order that I got, that could be done. If the Senator wants to know what took place, let him send the stenographers to get their original notes.

Mr. PENROSE. I ask that the record of the proceeding be read. The official record is the final court of appeals as to what was the order of the Senate.

Mr. UNDERWOOD. What I am objecting to now—I know perfectly well what I did.

Mr. PENROSE. I do not.

Mr. UNDERWOOD. I know the Senator does not, but I am not asking the Senator.

Mr. PENROSE. I ask the clerk at the desk to read the record.

Mr. UNDERWOOD. He can read the record, but he changed the record.

Mr. PENROSE. That is a serious charge to make.

Mr. UNDERWOOD. I know what I said. Somebody changed the record. Of course, the record carries out the order. The bill could not have gone to the Committee on Finance unless the record was changed.

Mr. PENROSE. I call for the reading of the stenographer's notes, Mr. President.

Mr. UNDERWOOD. I should be very glad to have them read.

Mr. PENROSE. I do not see why the Senator from Alabama should show all this feeling about this matter. I am rather surprised at this outburst of feeling about the reference of a bill of minor importance, and I am anxious to find out the facts.

Mr. UNDERWOOD. Well, of course, I recognize the fact that it is a minor bill; it is not of great importance; but I state for the Senator that this is the second time that I have asked for the reference of a bill this session which has gone to a different committee from that which I asked.

Mr. PENROSE. I dispute the right of a Senator to dictate the reference of a bill. The practice of the Senate and the rules of this body regulate to what committee a bill shall go. The Senator from Alabama certainly would not expect the Finance Committee or the Committee on Post Offices and Post Roads to demand that a bill relative to agriculture should be referred to either of those committees. I dispute the Senator's right to stand here in this body and say to what committee a bill shall go, even if it has the blessing of his authorship.

Mr. UNDERWOOD. Very well. If the Senator from Pennsylvania wants to draw that line, then I suppose he wants me to object whenever a Senator on the other side of the Chamber gets up here and asks for the reference of a bill and to any order in reference to it.

Mr. PENROSE. I think the Senator would be performing a very useful function if he should remain in his seat and object whenever there was an irregular reference of a bill.

Mr. UNDERWOOD. I shall direct myself in the future to the bills of the Senator from Pennsylvania; I shall not punish the balance of his side in that way.

Mr. PENROSE. The Senator need not concern himself about my bills, for I have never requested, in my long service in this body, to what committee a bill should go. I trust all of the committees of the Senate, Mr. President, their integrity of purpose, and their ability to cope with the measures referred to them.

Mr. UNDERWOOD. Mr. President, the Senator from Pennsylvania has taken it upon himself to inject himself into my affair in my time and says that there is some feeling on my part about the reference of a little bill. It is not a matter of any grave importance; it is merely a matter in which one or two citizens are involved. It is a question of the consideration of a war claim of some men who served in a post-office capacity with the Army, who had no Army status, but who lost their lives in serving with the Army in Siberia. I wanted the bill referred—

Mr. PENROSE. May I ask the Senator—

Mr. UNDERWOOD. If the Senator will take his seat and let me finish—

Mr. PENROSE. I want to know from what State these employees come?

Mr. UNDERWOOD. I should prefer to make my own speech in my own time.

The VICE PRESIDENT. The Senator from Alabama has the floor.

Mr. UNDERWOOD. If the Senator from Pennsylvania wants to address the Senate when I get through, he can then take the floor himself. Mr. President, naturally one of these men came from Alabama.

Mr. PENROSE. I thought so.

Mr. UNDERWOOD. That was the cause of my interest in the matter. A request would not come to me from a citizen of Pennsylvania or New York or Oregon about a matter of this character.

Of course, Mr. President, I recognize the fact that, the change of reference having been made, the record had to show it, and that it also had to be printed on the bill; but whoever changed it—and I presume it was done by the clerks at the desk—did so in carrying out, probably, some order that had been given to them relative to the reference of this class of bills. The bill is to fix some kind of a payment to men who lost their lives in the Postal Service while serving with the Army in Russia, or in other foreign service.

Mr. OVERMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from North Carolina?

Mr. UNDERWOOD. I do.

Mr. OVERMAN. If there was an order of the Senate, it seems to me there ought to be some investigation. The clerks have no right to change the Journal from that which the Senate directed. If the Senator asked unanimous consent that this bill be referred to a certain committee, and the clerks assumed authority to refer it to a different committee than the order of the Senate, it ought to be investigated.

Mr. UNDERWOOD. Mr. President, what I am after—and that is the question I am trying to get before the Senate—is this: I have no animus about this matter. I do resent the fact that a brother Senator should get up here about the reference of a little bill and attempt to criticize me and my position in asking a reference, when I had the order of the Senate. I think it is a matter of presumption on the part of any Senator to stand here and criticize the act of any Senator in asking the reference of a bill.

Of course, I recognize that I have no right, nor has any other Senator a right, to demand the reference of a bill to a particular committee, and if a wrong reference is made it is the right of any Senator on this floor to move that the bill be referred to what he believes to be the proper committee; but whatever is done should be done in the open. It should be done on the record. I do not care what the CONGRESSIONAL RECORD shows. Of course it shows that this bill was referred to the Finance Committee, because if it did not show that it would not go to the Finance Committee; but I state as a Senator that when I introduced this bill I asked that it be referred to the Post Office Committee, and without notice to me or notice to the Senate nobody had a right to change that request.

I am asking now that this bill be put back where it was originally ordered to be put, and then if some Senator thinks it is going to the wrong committee and wants it changed back I have no objection to his moving it; but I ask now, Mr. President, if it takes unanimous consent—I think it should be done by order of the Chair, unless the Chair chooses to dispute my word—I ask unanimous consent that this order be wiped out and the original order restored referring this bill to the Post Office Committee. Then, if that is an improper reference, either the chairman of the Post Offices and Post Roads Committee or the chairman of the Finance Committee can move its reference.

Mr. PENROSE. Mr. President, a casual examination of this bill would seem to disclose the fact that it is an effort to

infringe seriously on the ordinary law concerning death or disability of soldiers and in some way to place civilian employees of the Post Office Department on an equality of opportunity for emolument, reward, and relief with the brave men who wore the uniform and incurred the danger; but as one of the aggregation comes from Alabama I can understand the feeling of the Senator from Alabama, and I will withdraw any opposition to the reference.

Mr. McCUMBER. Mr. President, there is an implication, at least, that there has been some unfairness in making this reference. I can not believe that that is the—

Mr. UNDERWOOD. No, Mr. President; if the Senator will yield, let me say to him that I do not imply that there has been any unfairness. I think that somebody at the desk has assumed to straighten out the reference of a certain class of bills. That was done in this case. Now, I want that stopped. When a Senator asks that a bill be referred in a certain way, and the Vice President says, "It is so ordered," nobody has a right to change that but the Senate itself.

Mr. McCUMBER. That is just what I agree to myself, that there is no such right, and I do not think it has been done, unless through a misunderstanding of the request. I do not think anyone has willfully changed the record so as to refer a bill to any committee differing from what was intended at the time it was presented and so ordered.

Mr. UNDERWOOD. I have not said that they have. I have not made that statement. I have not said that anybody has willfully done that. I know that I asked the reference of this bill to the Post Office Committee, because I had a purpose in doing it. I introduced this bill at the last session of Congress. I had a purpose in doing it, because I wanted to ask the Post Office Committee to refer the bill to the Postmaster General for a report, and I did it purposely and intentionally. The bill itself is not an important matter; but it is important, when a Senator gets up here and asks for an order and the order is made, that it shall not be changed.

Of course, I recognize that very often references are made carelessly and without consideration; often bills go to the wrong committees; but what I want to point out is that if the order is granted, nobody has a right to change that order but the Senate itself.

My relations with the force at the desk are very pleasant. I have no personal criticism of them, but that is where this happened, and I do not want it to happen again. That is the reason why I am calling it to the attention of the Senate, and I want this bill put back where I had it referred. When it goes back there, if any Senator thinks it is the wrong reference, I should like to discuss it with him. I have a reason for its being there, and I think a perfectly legitimate reason.

Mr. McCUMBER. Mr. President, let me say that while I think it is a wrong reference I have not the slightest objection to the bill going to that committee. The original bill came from the Finance Committee. Naturally, an amendment to that act which was reported by the Finance Committee should go to the same committee which had the original bill under consideration, and from which the law emanated.

My only point, however, was that I feared it might be understood, at least, from the Senator's remarks, that the clerks at the desk had intentionally made a change of the record, notwithstanding the fact that the Senator from Alabama had requested that the bill go to another committee. All I wanted to suggest to the Senator, in entire kindness, was that I think if a reference was made different from what the Senator asked, it was done inadvertently and with no purpose to overrule the request of the Senator.

Mr. UNDERWOOD. I want the Senator to understand and I want the RECORD to show that I am not charging any animus on the part of the clerical force at the desk. I know that the reference of the bill was either inadvertently changed or that it was done with the idea that I had made a mistake and that the correct reference of the bill was to the other committee.

I am not charging any bad faith or bad intentions on the part of the clerical force. I know that that is where the change is made, and I know perfectly well that it was either inadvertently made by them, or possibly they thought that I did not know where the bill ought to go and they sent it to the committee that they thought was the proper committee. I am making no criticism. I know that I asked for the order, and got it, and I did it with a purpose.

The original bill granting pensions and payments to soldiers went to the Finance Committee, but this bill relates entirely to employees of the Post Office Department. If you come down to the merits, there may be a serious question as to whether the Post Office Committee has not jurisdiction over its own employees if any legislation is going to be had; but that is not the

question I am discussing here. The Senator may be right and I may be wrong about the reference, although I think I was right about it; and I do not want the RECORD to disclose that I am doing this in any unjust criticism of the men at the desk. I am not charging any bad motive on their part, but I just want the RECORD to disclose that I protest against anybody making a change of order when I have once gotten it from the Senate.

Mr. McCUMBER. Mr. President, the chairman of the Committee on Finance has indicated his acceptance of the request that the bill be taken from the Finance Committee and referred. I think that a motion is necessary, however. The bill now is before the Finance Committee, and it will have to go back to the Senate. I therefore move that the Finance Committee be discharged from the consideration of the bill and that it be referred to the Committee on Post Offices and Post Roads.

Mr. UNDERWOOD. I have already asked unanimous consent that that be done. I do not think any Senator is going to object to putting this proposition where it belongs. If there is anybody who then wants to have it referred to some other committee, I have no objection to his making such a motion.

I ask unanimous consent that the reference be made as I originally had it made, Mr. President.

Mr. McCUMBER. The Senator did not ask that the Committee on Finance be discharged, and I thought his motion was hardly sufficient to take the bill away from the Finance Committee. I have no objection to the unanimous-consent request.

Mr. UNDERWOOD. I think the proper order would be for the Chair to direct that the record be corrected, but I do not care to go into a controversy about that. I ask unanimous consent that the Committee on Finance be discharged.

The VICE PRESIDENT. The Chair understands the Senator from Alabama to ask unanimous consent that the Committee on Finance be discharged from the further consideration of the bill, and that it be referred to the Committee on Post Offices and Post Roads. Without objection, it will be so ordered.

Mr. SMOOT. Mr. President, the chairman of the Finance Committee has not objected to this request, and I suppose he is willing that the bill should go to the Committee on Post Offices and Post Roads; but I want to say that I can not see any reason why this bill should go to the Committee on Post Offices and Post Roads, for it amends the original bill granting relief to men in the Army and Navy.

As far as a report from the Post Office Committee is concerned, the very first thing that the Finance Committee would do if this bill were referred to it would be to send a letter to the Post Office Department and ask for a report upon the bill, and that is just exactly what the Post Office and Post Roads Committee would do.

I do not think there is any necessity for discussing the matter. I am willing, if the chairman is, that the bill shall go to the Post Office Committee.

The bill simply means that for death or disability under the act creating the War Risk Bureau, a civil-service employee of the Government will be treated the same as a disabled veteran who served in the war. He will be entitled to receive insurance under Government supervision; he will be entitled to all the assistance by way of family allowance, hospitalization, and everything else that a soldier has granted him under existing law. Now, there may be some reason for it, but for the life of me I can not see it.

If employees of the Post Office Department are to receive benefits under the bill, there is no reason why employees of the Treasury Department and all other departments should be denied them.

Mr. UNDERWOOD. Mr. President, as the Senator from Utah has gone into the discussion of this question, I do not think I ought to let it rest here without the RECORD showing something about this matter. I thank the Senate for making the proper reference of the bill—at least, the reference that I originally asked.

As far as I know or have heard, less than half a hundred men are involved under the title of this bill. It relates entirely to men who served in the Post Office Department with the expeditionary forces abroad and who lost their lives on the field of service or were permanently disabled. Now, of course, somebody had to serve. I think the first service in the world in the Great War was that of the men who served in the ranks for their country; but these men from the Postal Service went with the expeditionary forces as volunteers and served on the front lines, and enabled the boy from home to receive letters from his family, from the loved ones he left behind him.

Some of them were killed, and some were wounded and disabled for life. One that I refer to, and have an interest in, came from Alabama. Although he was only a postal clerk, he

died in the front lines with the expeditionary forces in Siberia. He left a wife and dependent children with nobody to take care of them. He was serving his country, perhaps only as a postal employee, but he was serving on the front lines; and there has been no legislation in reference to a case of this kind. There is no general law now that allows this widow and children to participate in the Government aid that is granted to soldiers.

If an elevator employee in the Capitol Building or in the War Department down here is injured in his elevator service, you have a law that will grant compensation to him, and a board to take care of him, although he was only serving in Washington; but you asked for volunteers, and you sent these postal employees abroad, and they served on the front lines with the fighting forces, and you have no law to take care of their widows and children or those that were disabled.

You may not think this is a meritorious bill, but I do. I think there is merit in the bill, and it is not a bill that is going to cost the Government of the United States a great deal of money, because there are less than a hundred men involved in the whole thing; and I think it is entitled to proper consideration.

I have nothing further to say about the reference to the committee. The bill has gone to the Post Office Committee, and I should like to have them consider it and report on it. Of course, if the majority of the Senate want it referred to the Finance Committee, I should accept the judgment of the majority. What I want is action, and I want the Senate to understand that I do not feel that this is a bill that should be slurred at, because the boy who gave his life for his country as a postal employee came from Alabama any more than if he came from Pennsylvania or Utah. He is entitled to the consideration of his claim. He died to serve his country, and a widow and dependent child, who survived him, are suffering at home.

Mr. PENROSE. Mr. President, will the Senator state whether this citizen of Alabama died of wounds in battle?

Mr. UNDERWOOD. I had the facts of the case with me, but I will not attempt to say now whether he died from exposure on the front line or from wounds. I know, however, he was with the front line column when he died.

Mr. PENROSE. Exposure well back of the front line, no doubt.

Mr. UNDERWOOD. No. I am sorry the Senator continues to slur a dead boy who served his country abroad as a volunteer. I think his slurs indicate that those who are entitled to consideration by the Government had better keep their bills out of the committee over which he presides.

Mr. PENROSE. Mr. President, I merely wish to repeat the statement made by the Senator from Utah. From a generous feeling toward the leader of the minority and because I can understand his interest in a citizen from Alabama who died in Siberia, I have not pursued my objection to the change of reference of this bill; but the Senate may well be impressed with the fact that this is simply an illustration of raids on the Treasury which may be expected in every conceivable form for pensions for every conceivable kind of employee. Bankruptcy is not far distant from the American Government if every Member of this body can appeal to the sense of generosity and an alleged practice to introduce bills extending the military beneficence of the Government to some constituent who is a civil-service employee and who happened to serve abroad. I can see no end to it, Mr. President. I can see the possibilities of one of the greatest scandals that ever confronted the American Government if that practice is pursued; and I am surprised that a Senator old in service, like the Senator from Alabama, and one of his undoubted patriotism, should deliberately be a party, and an early party, to drive the entering wedge into a raid upon the Government which can only end in scandal and ultimate bankruptcy.

Mr. BRANDEGEE and Mr. UNDERWOOD addressed the Chair.

The VICE PRESIDENT. The Senator from Connecticut.

Mr. UNDERWOOD. I ask the Senator from Connecticut to allow me to answer the statement of the Senator from Pennsylvania.

Mr. BRANDEGEE. I yield to the Senator from Alabama.

Mr. UNDERWOOD. Mr. President, by the courtesy of the Senator from Connecticut, I do not propose to let this matter rest here under the statement of the Senator from Pennsylvania that a bill of the kind introduced by me will involve a scandal.

Mr. PENROSE. I said it would be an entering wedge.

Mr. UNDERWOOD. Or an entering wedge to produce a scandal in the United States. The Senator has voted for mil-

lions of dollars in pension appropriations himself, and it is a late day for him to criticize other people. Let the Senate and the country understand what this bill is. The bill merely provides—

That section 300 of the act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, is hereby amended to read as follows:

"Sec. 300. That for death or disability resulting from personal injuries suffered or disease contracted in the line of duty by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) when employed in the active service under the War Department or Navy Department, or by any employee of the Post Office Department serving with the postal agencies operating in connection with the Army in France and Siberia, or in actual course of transit thereto or therefrom, the United States shall pay compensation as hereinafter provided; but no compensation shall be paid if the injury or disease has been caused by his own willful misconduct: *Provided*, That for the purposes of this section said officer, enlisted man, or other member shall be held and taken to have been in sound condition when examined, accepted, and enrolled for service, and said employee shall be held and taken to have been in sound condition when ordered to France or Siberia to serve with the postal agencies operating in connection with the Army: *Provided further*, That this entire section, as amended, shall be deemed to become effective as of April 6, 1917."

Mr. President, I do not care how these men are taken care of. This is one method proposed. But I do not understand how it can be a scandal to ask that consideration should be given to a man who went to a foreign country as a volunteer to serve with the Army of the United States, whether he was in the fighting line or whether he was in the Government line that was delivering the mail; there does not seem to me to be any difference. If he offered his services to his country, and his wife and children are dependent, it does not seem to me that it is any scandal on anybody that an attempt should be made to take care of them.

I am not in favor of a general civil-service pension. I do not know how the Senator himself stood when that question came up for a vote some time ago and it was established. But when men go abroad with the fighting forces and take their chances before the guns of an enemy, I think they have wiped out all distinctions, and I think when an effort to provide that reasonable compensation shall be paid to disabled men or to the dependents of those who lost their lives, or to men who lost their health in the service of their country abroad, in time of war, is denominated as a scandal, then I think we have to find a new definition for the word "scandal." There have been things occurring here that far more closely approached what we understand as a scandal than taking care of the wife and infant child of a boy who gave his life to his country serving with the expeditionary forces in the frozen zones of the Siberian forests.

Mr. BRANDEGEE. Mr. President, I have no intention of discussing the merits of the bill, or of expressing an opinion as to which committee it should be referred; but I was interested in the statement of the Senator that he had asked unanimous consent for the reference of the bill to the Committee on Post Offices and Post Roads, and that the reference had been in some way changed. Of course, I do not doubt that the Senator is confident that he did ask unanimous consent, but he might be mistaken. Therefore, I asked that the stenographer's notes be sent for, but I have not been advised that they have as yet been produced.

However that may be, if the Senator did ask unanimous consent for the reference of the bill to the Committee on Post Offices and Post Roads and the Senate granted his request, of course, that is where the bill ought to stay, until it is removed by a vote of the Senate. Of course, the RECORD merely shows, as the Senator from North Dakota [Mr. McCUMBER] read, that Mr. UNDERWOOD introduced a bill and that it was referred to the Committee on Finance.

I have the bill here, and it appears from the bill that the Senator did not indicate on the outside of it the committee to which he wanted to have it referred, and the clerk informs me that on opening it he thought an error had been made in the reference, and he drew a pencil through the words "Post Offices and Post Roads," which the Senator had indicated on the inside of the bill, and inserted "Finance."

I am moved to make that statement simply for the reason that in the early part of the Senator's remarks he used some language equivalent to stating that he objected to its being done by the clerk because somebody had ordered the clerk to do it. The clerk who handed me the bill said that he did it entirely on his own volition, because he thought it was the proper reference. I simply say that in justice to the clerk.

Mr. UNDERWOOD. I simply want to say to the Senator, with regard to the reference, I think that some one probably advises the clerks as to how some of the bills shall be re-

ferred, and I do not say that is improper where there is no order made and no request.

The Senator calls to my attention something in the bill that indicates how I wanted to have it referred. When it was introduced before it was referred to the Committee on Post Offices and Post Roads, and I had noted on the inside of the bill the fact that it should be referred to the Committee on Post Offices and Post Roads.

The Senator informs me of something I did not know. The clerk struck out what I had in there, and he himself has indicated how the reference was made.

Mr. BRANDEGEE. In the handling of hundreds of bills, unless the clerk knew that unanimous consent had been granted by the Senate, if he thought it had been referred to an improper committee, I suppose he would change the reference. The clerk informs me that no one suggested to him to do it, but he did it of his own volition.

Mr. UNDERWOOD. I am not criticizing the clerk; I am not making any harsh criticism. I asked that the bill be referred to the Committee on Post Offices and Post Roads for the reasons I have given. I knew my request had been changed after the Senate had granted it, and I just wanted to make it evident here that it must not be done again except by order of the Senate, or I shall be heard from.

Mr. KENYON. I ask for the regular order.

Mr. McCUMBER. Mr. President, just a moment before the regular order is taken up. Certainly there is something peculiar about this matter. I am not objecting to the fact that the Senator should ask that a bill practically granting pensions to a certain class of persons who served in the Army should be sent to the Committee on Post Offices and Post Roads and allow the Committee on Post Offices and Post Roads to perform the functions of the Committee on Pensions, and the functions of the Finance Committee, in considering the matter of war risk insurance.

I want to call the attention of the Senator from Alabama to the fact that it is probably a little more far-reaching than he thinks, as he introduced his bill. We have had bills of this kind before the Committee on Pensions probably ever since the close of the Civil War.

First, there were the telegraphers, whose work was at the front. They were employees of the War Department; they were not soldiers, but they were paid for their services and paid very much more than the soldiers received. They asked that they be included in the list of soldiers, and if they were injured at the front, or if they suffered from any disability incurred in the line of service, that they should draw the same pension as a soldier regularly enlisted in the Army of the United States. The Committee on Pensions has steadfastly refused to allow that.

Then there were the association of teamsters, who did the hauling for the soldiers, and other different associations, which desired to come in and asked to be pensioned. The Committee on Pensions has insistently refused to put them upon the pension roll as a class. They have taken care by special bills of those people who were injured in the line of service, while acting under a command.

I really feel, Mr. President, that this bill should go to the Committee on Pensions, neither to the Finance Committee nor to the Committee on Post Offices and Post Roads. I am not asking that it go there, but if you make a rule that will include a certain class of people who have been employed as you would employ a stenographer for the use of a general or a captain in the Army, and place them in the same class as a soldier, while the soldier got \$30 a month and was required to go anywhere he was commanded, if you say that the stenographer, the telegrapher, or the driver of a wagon who was not in any way connected with the Army should be included in the list of soldiers and receive the same pensions for themselves and their families, you are treading at least upon dangerous ground.

As has been suggested to me, the Treasury Department and every other department in the Government had hundreds and thousands of people at the front, and if we are to include them, I simply say as a little suggestion to the Committee on Post Offices and Post Roads, who under this reference are to assume the jurisdiction of the Pension Committee, they are treading upon dangerous ground if they pick out any particular class and say that that class of people shall be placed under the same regulations, as pensioners, as those entitled to the benefits under the general law relating to war-risk insurance.

I think that the individuals the Senator refers to should be taken care of by a special bill. If a person died in the service of the United States, in a service that he was commanded to do that was dangerous, we ought to take care of those special

cases without broadening the line of our laws, so that the benefits that are granted to the soldiers regularly enlisted should extend to a line of employees outside of the regular service.

Mr. UNDERWOOD. If the Senator will allow me to interrupt him, I acknowledge that I am not an expert on pensions. I myself do not know and am not prepared to announce what is the best way to take care of this situation, but heretofore all legislation affecting the postal employees has gone to the Committee on Post Offices and Post Roads. The amendment to the law embraced in this bill, and the only amendment to it, is that portion of it which directly affects postal employees. I really have no controversy about that fact. That was not the thing I rose for this morning. I had asked for a reference of a bill and got it, but it did not go where I had asked that it should go, and I wanted to see that it went to the committee I had named. If the Senator from North Dakota looks into it and thinks we can get a report from the Finance Committee and that it will not be smothered—

Mr. McCUMBER. Mr. President, I am not asking that it shall not go to the Committee on Post Offices and Post Roads, because the Senator from Alabama seemed to think that it had been improperly or inadvertently taken from the committee to which he wished to have it go and because the Senator suggested that he had certain reasons for asking that it go to that particular committee. All I wish to do now is to indicate to that committee the danger of taking a class of civil employees and giving them the status of soldiers of the American Army, a thing which we have not done in the past and which the Committee on Pensions ever since the Civil War have steadily and consistently refused to do; but in some cases, and in a number of cases where persons have been killed or injured and there is no question but that the injury was in the line of duty of the character for which a soldier would draw a pension, they have been granted pensions, even though they were not members of the Army. I think that is the better way to handle those special cases, rather than to include them in a class by themselves and give them a status under the Army and Army laws.

Mr. UNDERWOOD. Mr. President, I will say to the Senator that I have no pride of authorship in this bill. I do not contend for a minute that the way he proposes may not be the best way. All I say is that these men are entitled to consideration, and I want them to get consideration, and my purpose in having the bill referred to the Committee on Post Offices and Post Roads is to enable me to ask that committee to refer it to the Postmaster General and let him give us the full facts in reference to these men's service; and when that is done, if the committee desires to propose some better way than I have proposed, that will be very agreeable to me.

The VICE PRESIDENT. The Committee on Finance will be discharged from the further consideration of the bill (S. 1377) to amend section 300 of an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, and it will be referred to the Committee on Post Offices and Post Roads.

PETITIONS AND MEMORIALS.

Mr. RANDELL presented a resolution of the constitutional convention of Louisiana, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the Record, as follows:

Constitutional convention of Louisiana, 1921, resolution No. 103, by Mr. Payne.

Be it resolved by the constitutional convention of the State of Louisiana, now in session, That the Congress of the United States be, and is hereby, memorialized to the end that its power be used to suppress illegitimate and injurious speculations in agricultural products.

Adopted by the constitutional convention of the State of Louisiana on the 13th day of April, A. D. 1921.

O. H. SIMPSON,
Secretary of the Convention.

Mr. RANDELL also presented 39 petitions signed by 1,170 citizens of New Orleans, La., praying for the enactment of legislation recognizing the Irish republic, which were referred to the Committee on Foreign Relations.

Mr. CURTIS presented resolutions of Local No. 1831, Farmers' Union, of Cedar Vale, and Flowerdale Local, No. 1701, F. E. & C. U. of A., of Anthony, both in the State of Kansas, favoring legislation to prohibit gambling in grain products, which were referred to the Committee on Agriculture and Forestry.

He also presented a resolution of representatives of the Farm Bureau Federations of Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, South Dakota, Nebraska, and Kansas, favoring the making of an appropriation to secure accurate data in regard to the production of cattle, swine, and

sheep, which was referred to the Committee on Agriculture and Forestry

He also presented a memorial of sundry citizens of Russell, Kans., remonstrating against conditions in the occupied zone of the Rhine in respect to the presence and action of French colonial troops, which was referred to the Committee on Foreign Relations.

He also presented a resolution of sundry jewelers of Wichita, Kans., protesting against an increase from 5 to 10 per cent on practically all jewelry sales, which was referred to the Committee on Finance.

He also presented a resolution adopted by the Child Conservation League, of Topeka, Kans., January 25, 1921, favoring the amendment of proposed legislation to promote physical education in the United States through cooperation with the States in the preparation and payment of supervisors and teachers of physical education, including medical examiners and school nurses, etc., so as to provide that the sole administration shall rest in the Bureau of Education; that the word "physical" be substituted for the word "medical" wherever it may occur; that the parent or guardian be allowed absolute freedom in the selection of a practitioner of the school of healing, etc., and that notices required to be given parents or guardians shall be printed or written and shall contain a clear statement of the privilege of selection on the part of such parent or guardian, etc., which was referred to the Committee on Education and Labor.

Mr. TOWNSEND presented a memorial of the Tivoli Brewing Co., of Detroit, Mich., remonstrating against the enactment of legislation placing a 50 per cent higher tax on cereal beverages, which was referred to the Committee on Finance.

He also presented a memorandum from the Ukrainian National Committee, of Hamtramck, Mich., in relation to the case of East Galicia, requesting that the Government of the United States recognize East Galicia (along with northern Bukovina) as an independent State as the West Ukrainian Republic; that the Government of the United States recognize the lawful Government of the West Ukrainian Republic, namely, the Government established by the Ukrainian National Assembly under the leadership of Dr. Eugene Petrushevich; and that the Government of the United States, as one of the temporary sovereigns of East Galicia, demand of Poland that she immediately evacuate East Galicia, which was referred to the Committee on Foreign Relations.

He also presented resolutions of the Civil and Commercial Association, of Sault Ste. Marie; Charles A. Learned Post No. 1, the American Legion, of Detroit; the Central Labor Union of Marquette; and Herbert J. McKune Post No. 31, the American Legion, of Chelsea, all in the State of Michigan, favoring legislation providing adequate relief for wounded ex-service men, which were referred to the Committee on Finance.

He also (for Mr. NEWBERRY) presented a memorial of Local Union No. 22, Cigarmakers, of Detroit, Mich., remonstrating against the enactment of legislation placing a tariff on Sumatra tobacco, which was referred to the Committee on Finance.

He also (for Mr. NEWBERRY) presented a petition of sundry citizens of Midland, Mich., praying for the enactment of the Nolan Patent Office bill, which was referred to the Committee on Patents.

He also (for Mr. NEWBERRY) presented resolutions of Bay City Board of Commerce, of Bay City; Grand Rapids Lion Club, of Grand Rapids; and the national legislation committee of the Flint Chamber of Commerce, of Flint, all in the State of Michigan, favoring legislation providing adequate relief for wounded ex-service men, which were referred to the Committee on Finance.

Mr. CAPPER presented a resolution of the Farmers' Union, of Girard, Kans., protesting against legislation repealing the excess-profits tax and the substitution therefor of a sales or turnover tax, which was referred to the Committee on Finance.

He also presented resolutions of the faculty of the Overbrook Rural High School, of Overbrook, and the American Legion, of Randolph, both in the State of Kansas, favoring legislation providing adequate relief for wounded ex-service men, which were referred to the Committee on Finance.

Mr. WARREN presented a resolution of the Casper Chamber of Commerce, of Casper, Wyo., favoring the so-called truth in fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of the Big Horn Basin Bee Keepers' Association, of Cowley, Wyo., favoring legislation placing a tariff of 60 cents per gallon on honey imported into the United States, which was referred to the Committee on Finance.

Mr. NELSON presented a resolution of the Legislature of Minnesota, which was referred to the Committee on Finance, as follows:

Resolution memorializing the Congress of the United States to remedy the conditions existing with respect to the rehabilitation of disabled ex-service men.

Whereas the United States of America has a duty, first, to furnish adequate medical, surgical, and hospital treatment to its ex-service men who need it; second, to train the disabled in as far as possible to overcome the vocational handicap that their disability imposes upon them; third, to compensate the disabled in so far as is possible by cash payments for the financial loss their disability occasions them and their dependents; and

Whereas the United States, liberal and generous in its provisions for the disabled who gave their health and strength in their country's service in the late war, has failed in a large measure, through legislative and administrative deficiencies, to make these provisions available in this, that while in the rehabilitation of a disabled man there are three needs—medical treatment, vocational training, and financial support—and while recognizing these three needs the Government has overlooked the fact that they are the simultaneous needs of one man and not of three different men, or of one man at three different times, and has given the problem over to three agencies—the Public Health Service for treatment, the Federal Board of Vocational Education for training, and the Bureau of War Risk Insurance for financial support—each agency an institution complete in itself and each administratively independent of the other two, and all by force of circumstances exercising functions they were not intended to exercise; and

Whereas as a result there has been unintentional administrative chaos, duplication, wasted energy, and conflict, which has resulted in thousands of disabled veterans waiting for months for compensation and for an opportunity to take vocational training, and thousands of disabled men in need of hospitalization unable to secure treatment on account of lack of adequate hospital facilities, and an unusual amount of hardship and inability to secure treatment by thousands of disabled men on account of the centralization of the agencies in Washington: Now, therefore, be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That the Congress of the United States of America be, and the same is hereby, urgently petitioned and requested to take such measures as may be necessary, first, to provide adequate care and hospitalization for the disabled ex-service men of America; second, to provide for the consolidation of the three agencies now dealing with the disabled ex-service men; third, to decentralize the administration of the agencies dealing with the disabled ex-service men; be it further

Resolved, That a duly authenticated copy of this resolution be transmitted to the Speaker of the House of Representatives of the United States; that another be transmitted to the President of the Senate and Congress of the United States; and also that copies be sent to each representative of the State of Minnesota in the United States Senate and House of Representatives.

W. I. NOLAN,
Speaker of the House of Representatives.
LOUIS L. COLLINS,
President of the Senate.

Passed the house of representatives April 5, 1921.

OSCAR ARNESON,
Chief Clerk House of Representatives.

Passed the senate April 10, 1921.

GEO. W. PEACHEY,
Secretary of the Senate.

Approved April 21, 1921.

J. A. O. PREUS, Governor.

Filed April 22, 1921.

MIKE HOLM,
Secretary of State.

I, Mike Holm, secretary of state of the State of Minnesota, and keeper of the great seal, do hereby certify that the above is a true and correct copy of H. F. No. 1038, as shown by the records in my office.

[SEAL.]

MIKE HOLM,
Secretary of State.

Mr. NELSON presented a resolution of the Legislature of Minnesota, which was referred to the Committee on Finance, as follows:

A resolution memorializing the Congress of the United States to pass a protective tariff bill on wool, mutton, and lamb.

Whereas the farmers of this State during the past year have received such low values for the products of the farm, and that said values are not commensurate with the cost of production; and

Whereas the sheep breeders of this State have experienced every known difficulty in the disposal of their wool crop and also that their mutton and lamb must compete with frozen mutton and lamb imported into this country: Be it therefore

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That the Congress of the United States be, and the same hereby is, urgently petitioned and requested to establish a protective tariff on wool, mutton, and lamb: Be it further

Resolved, That a duly authenticated copy of this resolution be transmitted to the Speaker of the House of Representatives of the United States, to the President of the United States Senate, and to each Senator and Representative of the State of Minnesota in the United States Senate and House of Representatives.

W. I. NOLAN,
Speaker of the House of Representatives.
LOUIS L. COLLINS,
President of the Senate.

Passed the house of representatives February 28, 1921.

OSCAR ARNESON,
Chief Clerk, House of Representatives.

Passed the senate April 21, 1921.

GEO. W. PEACHEY,
Secretary of the Senate.

Approved April 23, 1921.

J. A. O. PREUS, Governor.

Filed April 23, 1921.

MIKE HOLM,
Secretary of State.

I, Mike Holm, secretary of state of the State of Minnesota, and keeper of the great seal, do hereby certify that the above is a true and correct copy of H. F. No. 287, as shown by the records in my office.

MIKE HOLM,
Secretary of State.

Mr. NELSON also presented letters of Charles B. Mills, president of the Midland National Bank, Minneapolis, Minn.; W. P. G. Harding, governor of the Federal Reserve Board; and John H. Rich, chairman and Federal reserve agent of the Federal reserve bank, of Minneapolis, Minn., in relation to the efficiency of the Federal Reserve System and Federal reserve banks, which were referred to the Committee on Banking and Currency.

He also presented a memorial of Theo. Hamm Brewing Co. and Jacob Schmidt Brewing Co., of St. Paul, Minn., remonstrating against the enactment of legislation placing a 50 per cent higher tax on cereal beverages, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of the State of Minnesota, praying for the enactment of legislation for the recognition of the Irish republic, which were referred to the Committee on Foreign Relations.

He also presented a resolution of Local Union No. 294, Cigar Makers, of Duluth, Minn., protesting against the enactment of legislation increasing the tariff duty on wrapper tobacco, etc., which was referred to the Committee on Finance.

He also presented a memorial of sundry pastors of Protestant Churches of St. Cloud, Minn., remonstrating against the Government of the United States interfering with the British Government or any other Government in the administration of affairs exclusively within their own jurisdiction, etc., which was referred to the Committee on Foreign Relations.

Mr. GERRY presented a memorandum signed by Rev. M. Zalitch and sundry other citizens of Woonsocket, R. I., in relation to the case of East Galicia, requesting that the Government of the United States recognize East Galicia—along with northern Bukovina—as an independent State, as the west Ukrainian Republic; that the Government of the United States recognize the lawful Government of the west Ukrainian Republic, namely, the Government established by the Ukrainian National Assembly under the leadership of Dr. Eugene Petrushevich; and that the Government of the United States, as one of the temporary sovereigns of East Galicia, demand of Poland that she immediately evacuate East Galicia, which was referred to the Committee on Foreign Relations.

Mr. WILLIS presented resolutions signed by sundry citizens of Caldwell and Belle Valley, Ohio, favoring legislation providing adequate relief for ex-service men, which were referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. WARREN, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 23) authorizing the Secretary of War to investigate the claims of private parties to the Mariveles quarry within the limits of a United States military reservation in the Philippine Islands, and to permit the working thereof by the persons entitled thereto, provided military necessities permit, reported it without amendment and submitted a report (No. 18) thereon.

Mr. NELSON, from the Committee on the Judiciary, to which was referred the bill (S. 426) to amend an act entitled "An act to amend section 1, chapter 209, of the United States Statutes at Large, volume 27, entitled 'An act providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court,' and to provide for the prosecution of writs of error and appeals in forma pauperis, and for other purposes," approved June 25, 1910 (36 Stat., p. 866), reported it without amendment and submitted a report (No. 20) thereon.

Mr. GOODING, from the Committee on the District of Columbia, to which was referred the bill (S. 813) to authorize the Commissioners of the District of Columbia to close upper Water Street between Twenty-first and Twenty-second Streets NW., reported it without amendment and submitted a report (No. 21) thereon.

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (S. 384) to require judges appointed under authority of the United States to devote their entire time to the duties of a judge, reported it with amendments and submitted a report (No. 22) thereon.

EMIL S. FISCHER.

Mr. KEYES. Mr. President, from the Committee on Immigration I report back favorably without amendment the joint resolution (S. J. Res. 38) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States, and I submit a report (No. 19) thereon.

Mr. CALDER. I ask unanimous consent for the present consideration of the joint resolution just reported.

Mr. ASHURST. Mr. President, let it be read first.

Mr. CALDER. A similar joint resolution was passed on March 3, the closing day of the last Congress.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. ASHURST. I shall not object, but probably I should. It seems we all should object to granting citizenship by act of Congress. The courts are open and a liberal law regarding naturalization is now on the statute books. The courts have opportunity and time to spin out the oblique threads. While I shall not object to the joint resolution in which my friend the Senator from New York is interested, I believe this is a bad precedent to set, and that we ought not further to grant citizenship through Congress. The applicant should take his place in the courts of the country and prove to the satisfaction of the judge that he has complied with the law and is worthy of citizenship. I hope this may be the last attempt of the kind that will be made in the Congress of the United States. I shall not object to this one because I am familiar with the case. I suppose if there could be a meritorious case where relief should be granted this may be the one, but it is a bad precedent.

Mr. UNDERWOOD. Before unanimous consent is given I should like to have the Senator in charge of the joint resolution explain the case, and especially to tell us whether there are any property interests involved in the question of the beneficiary being made a citizen of the United States.

Mr. CALDER. The Senator from Alabama asked that same question of me on the evening of March 3, and I assured him then that there are no property rights involved. I may say to the Senator that this man lived in Austria, where he was born, and 30 years ago came to this country and lived quite a while. Then he lived in Brazil for a while. He then returned to the United States in 1901. In 1903 he gave notice of his intention to file his application to become a citizen—that is, he followed the usual course. He was then required to go to China as the representative of an American concern. He came back and forward from China several times. When he returned to this country in 1910 he applied for his final papers and found that the law of 1906 intervened and that his notice of intention of 1903 was then of no value. He again gave notice of his intention. He was then required to visit Siberia, China, and the Orient on matters of business for American concerns and was unable to get back and live five years continuously in this country. He came back in 1915 and left again.

I have a number of letters of indorsement here—one from our consul in China, one from the judge of the United States circuit court in Chicago, and one from the colonel of the Fifteenth Cavalry, at Shanghai, where Mr. Fischer did splendid work for our Government during the war. Every one of these men tell of his splendid and loyal service to this country. He now lives in New York and is a resident there.

This is one of the very few cases I have known which has unusual virtue in it. I may also say that he returned from China on the 20th of March, 1920, and has an opportunity to return. As he has business obligations in China again representing American interests, he is very anxious to return there.

Mr. EDGE. I think the Senator is modest in stating all the facts. May I inquire of the Senator if this is not the case of the young man who, as a matter of fact, is engaged to be married to an American girl and must have citizenship conferred on him by this legislation before that happy event can be consummated?

Mr. CALDER. I did not desire to go into that detail, but that is the fact. The young lady in question will not marry the beneficiary unless he becomes an American citizen.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Whereas Emil S. Fischer, born in Austria in 1865, emigrated from Brazil and arrived in the United States at the port of New York and established a permanent residence in the city of New York in 1892; and

Whereas said Emil S. Fischer, being then a resident of the city of New York, did on the 4th day of November, 1903, apply to the United States district court for the southern district of New York and receive his first citizenship papers; and

Whereas said Emil S. Fischer, while maintaining continuously his said residence in New York City, has sojourned in China, representing American banking and commercial interests, fostering American trade expansion, among other things acting as adviser and foreign secretary to the Chinese Government Commission at the San Francisco Exposition and for the Chinese alien property custodian during the late war; and

Whereas the absence of said Emil S. Fischer has prevented his completing his citizenship, although he has rendered invaluable service to the United States Government, and in order that he attain citizenship and continue his work in China: Therefore be it

Resolved, etc., That Emil S. Fischer be, and he is hereby, admitted to all of the rights and privileges of a citizen of the United States.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

ASSESSMENT WORK ON MINING CLAIMS.

Mr. PITTMAN. I am directed by the Committee on Mines and Mining to report back favorably with amendments the bill (S. 231) to amend section 2324 of the Revised Statutes, and I submit a report thereon. I ask for the present consideration of the bill. A similar bill passed the Senate at the last session of Congress. It is the unanimous report of the committee.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SMOOT. I wish to ask the Senator just one question. This is a bill extending the time for assessment work, as I understand it?

Mr. PITTMAN. Yes.

Mr. SMOOT. It simply provides that the annual date of assessment work shall be from July 1 to June 30 of the following year, instead of the calendar year?

Mr. PITTMAN. That is all. It makes work of this character to conform with the general fiscal year.

Mr. ASHURST. If I understand the provisions of the bill correctly, it changes the time for performing annual labor or assessment work from the calendar year to the fiscal year, so that hereafter the owners of unpatented mining claims must do the assessment work before the 1st day of July instead of the 1st day of January.

Mr. PITTMAN. Yes.

Mr. ASHURST. Does the bill preserve intact and does it leave in full vigor and force the act of December 31, 1920, which grants until July 2 of this year within which the 1920 work may be performed?

Mr. PITTMAN. It does by express provision.

Mr. ASHURST. In other words, the annual labor or assessment work for 1920 must be done before the 2d of July, 1921?

Mr. PITTMAN. Yes; it must be done before that date.

Mr. POINDEXTER. May I ask the Senator from Nevada what committee reported the bill?

Mr. PITTMAN. The Committee on Mines and Mining.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments of the Committee on Mines and Mining were, on page 2, line 4, to strike out the words "located after the passage of this act," and to add at the end of the bill an additional proviso, so as to read:

*Be it enacted, etc., That the provision of section 2324 of the Revised Statutes of the United States, as extended and made applicable to the Territory of Alaska by the act entitled "An act providing a civil government for Alaska," approved May 17, 1884, and the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as amended, which provides that the period within which the work required to be done annually on all unpatented mineral claims shall commence on the 1st day of January succeeding the date of location of such claims, such provision being applicable to all claims located since the 10th day of May, 1872, be, and the same hereby is, amended to provide that the period within which the work required to be done annually on all unpatented mineral claims shall commence on the 1st day of July succeeding the date of location of such claims, and that the period within which the work required to be done annually on all other unpatented mineral claims to which section 2324 of the Revised Statutes of the United States as extended to the Territory of Alaska is applicable shall henceforth commence on the 1st day of July of each year: *Provided*, That the period for performing the work required by section 2324 of the Revised Statutes, as extended to the Territory of Alaska, and by this act beginning the 1st day of January, 1920, which but for this act would expire the 31st day of December, 1920, is hereby extended to and including the 30th day of June, 1921: *Provided further*, That nothing herein shall be construed to repeal an act entitled "An act extending the time for doing the annual assessment work on mining claims for the year 1920 to and including July 1, 1921," or to excuse the performance of such work.*

Mr. ASHURST. I suggest for the Senator's consideration the advisability of adding to that portion of the bill which preserves the act approved December 31, 1920, the words "act approved December 31, 1920," to identify it further, or does he think the identification is sufficient?

Mr. PITTMAN. I accept the suggestion of the amendment of the date of the approval of the act and ask that it be included.

Mr. KENYON. Mr. President, I should like to ask if this bill has just been reported from the committee?

The VICE PRESIDENT. It has.

Mr. KENYON. No Senator likes to object to these particular bills, but it does seem to me this is not the way to do business. I am not going to object to this particular measure, but if the leaders on the Republican side are not going to object hereafter, then some of us who are not leaders will object. Bills ought to go to the calendar and give Senators a chance to investigate them.

Mr. ASHURST. I hope the Senator will withdraw his objection.

Mr. KENYON. I have not objected; but if this policy goes on I am going to commence objecting.

The VICE PRESIDENT. Without objection, the committee amendments are agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. PITTMAN subsequently said: Mr. President, this morning, by unanimous consent, a report that I presented on behalf of the Committee on Mines and Mining was adopted. It referred to Senate bill 231. I have since discussed the matter with the Senator from Washington [Mr. POINDEXTER], the chairman of the committee, and I desire to re-form the report in some particulars. I therefore ask unanimous consent that the vote by which the bill was passed be reconsidered.

The VICE PRESIDENT. The Senator from Nevada asks unanimous consent that the vote whereby Senate bill 231 was read a third time and passed shall be reconsidered. Is there objection? The Chair hears none.

Mr. PITTMAN. I now ask unanimous consent to withdraw the report.

The VICE PRESIDENT. Without objection, the bill will be recommitted to the Committee on Mines and Mining.

ASSISTANT CLERK TO VICE PRESIDENT.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 57, submitted by Mr. LODGE on April 27, reported it favorably without amendment, and it was considered by unanimous consent and agreed to as follows:

Resolved, That the Vice President of the United States be, and he hereby is, authorized to employ an assistant clerk at \$1,740 per annum during the Sixty-seventh Congress, to be paid from the miscellaneous items of the contingent fund of the Senate.

Mr. EDGE. Mr. President, a parliamentary inquiry. This being Monday, is it not the usual order to have a call of the calendar?

Mr. ROBINSON. I suggest that morning business be concluded first.

Mr. EDGE. I assumed that it had been concluded.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. UNDERWOOD:

A bill (S. 1405) for the relief of William Collie Nabors; to the Committee on Claims.

By Mr. JOHNSON:

A bill (S. 1406) to fix the compensation of certain employees of the United States; to the Committee on Education and Labor.

A bill (S. 1407) granting an increase of pension to Helen E. Lasher; to the Committee on Pensions.

A bill (S. 1408) authorizing Ralph Navigation & Coal Co. to sue the United States to recover damages resulting from collisions; to the Committee on Claims.

By Mr. CURTIS:

A bill (S. 1409) providing for citizenship and classification of Indians, and for other purposes; to the Committee on Indian Affairs.

A bill (S. 1410) for the relief of Adaline White (with accompanying papers); to the Committee on Appropriations.

A bill (S. 1411) to reward officers of the United States Army for exceptionally long and faithful service (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 1412) to carry out the findings of the Court of Claims in the case of Humphrey M. Woodyard;

A bill (S. 1413) to carry out the findings of the Court of Claims in the case of Lewis H. Gest;

A bill (S. 1414) for the relief of Claude Chandler (with an accompanying paper); and

A bill (S. 1415) for the relief of John W. Millar (with an accompanying paper); to the Committee on Claims.

A bill (S. 1416) granting a pension to John Thomas Snodgrass (with accompanying papers);

A bill (S. 1417) granting a pension to Sarah E. Ross (with an accompanying paper);

A bill (S. 1418) granting a pension to Hannah E. Grow (with an accompanying paper);

A bill (S. 1419) granting an increase of pension to Melville C. Mallicoat (with accompanying papers);

A bill (S. 1420) granting a pension to Harry Hawkes (with an accompanying paper);

A bill (S. 1421) granting a pension to Sarah Elmore (with an accompanying paper);

A bill (S. 1422) granting a pension to Alice Noble (with accompanying papers);

A bill (S. 1423) granting a pension to Julia Rumbley (with an accompanying paper);

A bill (S. 1424) granting a pension to James F. Hargett (with an accompanying paper);

A bill (S. 1425) granting a pension to Mary Durham (with an accompanying paper);

A bill (S. 1426) granting a pension to Sarah Wilson (with an accompanying paper);

A bill (S. 1427) granting an increase of pension to Nancy J. Lee (with an accompanying paper);

A bill (S. 1428) granting a pension to Hattie H. Skuse (with an accompanying paper);

A bill (S. 1429) granting a pension to Louisa Leppla (with an accompanying paper);

A bill (S. 1430) granting a pension to Lemuel Abbott (with an accompanying paper);

A bill (S. 1431) granting a pension to Annie E. White (with an accompanying paper);

A bill (S. 1432) granting a pension to Alvin E. Owens (with accompanying papers); and

A bill (S. 1433) granting a pension to Edith H. Peters (with accompanying papers); to the Committee on Pensions.

By Mr. WELLER:

A bill (S. 1434) for the relief of the Fidelity & Deposit Co. of Maryland, Baltimore, Md.; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 1435) to control forest devastation, to perpetuate forests in the United States, to raise a revenue from forest products, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. KENYON:

A bill (S. 1436) to require the teaching of the Constitution of the United States in the schools of the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 1437) granting an increase of pension to Elizabeth J. Edson; to the Committee on Pensions.

A bill (S. 1438) for the relief of Maj. Ellis B. Miller; to the Committee on Naval Affairs.

A bill (S. 1439) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919; to the Committee on Education and Labor.

By Mr. SHIELDS:

A bill (S. 1440) for the relief of Henry Gregg; to the Committee on Military Affairs.

A bill (S. 1441) to provide for the erection of a public building at Dayton, Tenn.; and

A bill (S. 1442) to provide for the erection of a public building at Newport, Tenn.; to the Committee on Public Buildings and Grounds.

A bill (S. 1443) granting an increase of pension to Thomas M. Woods (with accompanying papers);

A bill (S. 1444) granting an increase of pension to Robert O. Dunn;

A bill (S. 1445) granting a pension to Thomas Smith; and

A bill (S. 1446) granting an increase of pension to Grover Cleveland McMahon; to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 1448) to establish game sanctuaries in the national forests; to the Committee on Agriculture and Forestry.

A bill (S. 1449) to carry out the findings of the Court of Claims in the case of W. W. Busby, administrator of the estate of Evelina V. Busby, deceased, against the United States;

A bill (S. 1450) for the relief of John W. Fein; and

A bill (S. 1451) for the relief of William Ramsey and others; to the Committee on Claims.

By Mr. WILLIS:

A bill (S. 1453) for the relief of Lebanon National Bank, of Lebanon, Ohio; to the Committee on Claims.

A bill (S. 1454) for the relief of John Scott (with accompanying papers); and

A bill (S. 1455) for the relief of John W. Mercer (with accompanying papers); to the Committee on Military Affairs.

By Mr. RANDELL:

A bill (S. 1456) for the relief of Col. Herbert Deakyne, Corps of Engineers, United States Army; to the Committee on Military Affairs.

A bill (S. 1457) authorizing the Postmaster General to cancel or readjust the screen-wagon contract of Thomas A., Henry P.,

and Joseph F. Eagan, and the parcel post and collection wagon contract of the estate of Thomas Eagan; to the Committee on Post Offices and Post Roads.

A bill (S. 1458) to extend the provisions of the retirement law for the Lighthouse Service to include Joseph P. Groux, former keeper of Chefuncte River Range Light Station, Louisiana; to the Committee on Commerce.

A bill (S. 1459) granting a pension to Marietta Hubbell Baldey;

A bill (S. 1460) granting an increase of pension to John A. Boutte; and

A bill (S. 1461) granting a pension to Richard D. Powers; to the Committee on Pensions.

A bill (S. 1462) to amend paragraph 10 of section 9 of the Federal reserve act, approved December 23, 1913; and

A bill (S. 1463) to amend paragraph 10 of section 9 of the Federal reserve act, approved December 23, 1913; to the Committee on Banking and Currency.

A bill (S. 1464) providing for an increase of salary for the United States marshal and district attorney for the western district and for the United States district attorney for the eastern district of Louisiana; and

A bill (S. 1465) to relieve Congress from the adjudication of private claims against the Government; to the Committee on the Judiciary.

A bill (S. 1466) for the relief of the legal representative of George E. Payne, deceased;

A bill (S. 1467) to carry into effect the findings of the Court of Claims in favor of Elizabeth White, administratrix of the estate of Samuel N. White, deceased; and

A bill (S. 1468) for the relief of the New Orleans-Belize Royal Mail & Central American Steamship Co., of New Orleans, La.; to the Committee on Claims.

A bill (S. 1469) to confirm the right, title, and interest of the Peoples Investment Co. (Inc.), of the State of Louisiana, in certain lands;

A bill (S. 1470) authorizing the Secretary of the Interior to sell and patent to J. D. Calhoun, of Lincoln Parish, La., certain lands; and

A bill (S. 1471) for the relief of occupants of lands included in the Bellevue grant, in St. Landry Parish, La.; to the Committee on Public Lands and Surveys.

By Mr. KING:

A bill (S. 1472) to amend the act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906, as amended, and the act entitled "An act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907, and for other purposes; to the Committee on Immigration.

By Mr. COLT:

A bill (S. 1473) granting an increase of pension to Mary A. Scully; to the Committee on Pensions.

By Mr. ELKINS:

A bill (S. 1474) authorizing the Secretary of War to loan tents and other camp equipage to recognized organizations of World War veterans, and for other purposes; to the Committee on Military Affairs.

By Mr. FRELINGHUYSEN:

A bill (S. 1475) for the relief of Henry T. Wilcox; to the Committee on Claims.

By Mr. SWANSON:

A bill (S. 1476) for the relief of Richard J. Easton; and

A bill (S. 1477) to amend an act entitled "An act to repeal section 3480 of the Revised Statutes of the United States," approved July 6, 1914; to the Committee on Naval Affairs.

A bill (S. 1478) granting a pension to Ada L. Kitchings; to the Committee on Pensions.

A bill (S. 1479) granting the consent of Congress to the Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River; to the Committee on Commerce.

A bill (S. 1480) authorizing the Secretary of War to donate to the Sandy Point Civic League, of Tettington, Va., one cannon or fieldpiece;

A bill (S. 1481) providing for the reconstruction of certain public roads in Fairfield district, Henrico County, Va.;

A bill (S. 1482) authorizing the Secretary of War to donate to the town of Schoolfield, county of Pittsylvania, Va., one German cannon or fieldpiece; and

A bill (S. 1483) authorizing the Secretary of War to donate to the State Normal School of Virginia, located at East Radford, Va., one cannon or fieldpiece; to the Committee on Military Affairs.

A bill (S. 1484) for the relief of Th. Brovig, as owner of the bark *Bennestvet*;

A bill (S. 1485) for the relief of J. W. Hogg;

A bill (S. 1486) for the relief of the Eastern Transportation Co.;

A bill (S. 1487) for the relief of Th. Brovig, as owner of the bark *Bennestvet*;

A bill (S. 1488) for the relief of Gaetano Davide Olivari fu Fortunato, as managing owner of the Italian bark *Doris*;

A bill (S. 1489) for the relief of the Lloyd Mediterraneo Societa Italiana di Navigazione, owners of the Italian steamer *Titania*;

A bill (S. 1490) for the relief of G. T. and W. B. Hastings, partners, trading as Hastings Bros.;

A bill (S. 1491) for the relief of George T. Larkin;

A bill (S. 1492) for the relief of the Gauley Mountain Coal Co.;

A bill (S. 1493) for the relief of the Link-Belt Co., of Philadelphia, Pa.;

A bill (S. 1494) for the relief of Gaetano Davide Olivari fu Fortunato, as managing owner of the Italian bark *Doris*; and

A bill (S. 1495) for the relief of the Arundel Sand & Gravel Co.; to the Committee on Claims.

By Mr. JONES of Washington:

A bill (S. 1496) to establish load lines for certain vessels; to the Committee on Commerce.

By Mr. SPENCER:

A bill (S. 1497) to amend an act entitled "An act to amend and modify the war-risk insurance act," approved December 24, 1919; to the Committee on Finance.

By Mr. JONES of Washington:

(By request.) A joint resolution (S. J. Res. 44) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

A joint resolution (S. J. Res. 45) to authorize the President to extend invitations to certain foreign nations to send delegates or representatives to the tenth annual convention of the American Association of Port Authorities; to the Committee on Foreign Relations.

SHOOTING GROUNDS AND GAME REFUGES.

Mr. NEW. I introduce a bill providing for establishing shooting grounds for the public, for establishing game refuges and breeding grounds, for protecting migratory birds, and requiring a Federal license to hunt them.

The VICE PRESIDENT. To what committee does the Senator from Indiana desire to have the bill referred?

Mr. NEW. I think the bill should probably go to the Committee on Irrigation and Reclamation or to the Committee on Public Lands and Surveys. I have no request to make concerning its reference.

Mr. SMOOT. I suggest that the bill should be referred to the Committee on Public Lands and Surveys.

Mr. NEW. I ask that it may be so referred.

The VICE PRESIDENT. The bill will be referred to the Committee on Public Lands and Surveys.

The bill (S. 1452) providing for establishing shooting grounds for the public, for establishing game refuges and breeding grounds, for protecting migratory birds, and requiring a Federal license to hunt them, was read twice by its title and referred to the Committee on Public Lands and Surveys.

RELIEF OF EX-SERVICE MEN.

Mr. ROBINSON. Mr. President, I introduce a joint resolution and ask its reference to the Committee on Military Affairs.

The joint resolution (S. J. Res. 46) creating a joint commission of Congress to investigate respecting the health, compensation, and employment, and the advisability of legislation to promote the welfare of former soldiers, sailors, and marines in the service of the United States during the war with Germany was read twice by its title.

Mr. ROBINSON. Mr. President, the failure of Congress to deal comprehensively and systematically with just and necessary legislation respecting former service men is not due to indifference or opposition to the accomplishment of those purposes. It may be truthfully said that the sentiment in favor of such action is universal in both Houses. Widespread complaint and criticism is heard, particularly as to hospitalization and compensation. Delay and confusion will continue until the subject is dealt with comprehensively and scientifically. Hundreds of bills have been introduced and referred to various committees contemplating more or less wholesome action in piecemeal. The wise and sensible course seems to be to study the subject as a whole and thus deal with it promptly and intelligently.

Such a commission as that proposed by my joint resolution can quickly familiarize itself with the information available in

the Bureau of War Risk Insurance, the Public Health Service, and in the possession of the representatives of the American Legion and devise a well-considered plan which ought to meet with general approval.

I ask that the joint resolution may be referred to the Committee on Military Affairs.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Military Affairs.

ISSUANCE OF RAILROAD MILEAGE BOOKS.

Mr. ROBINSON. I also introduce a bill to provide for the issuance of mileage books by railroads engaged in interstate commerce.

The bill (S. 1447) to direct railroads engaged in interstate commerce to issue mileage books was read twice by its title.

Mr. ROBINSON. I ask leave to have printed in the Record at this point a statement issued by the National Council of the Commercial Travelers' Associations of the United States explaining the purposes of the proposed legislation and the necessity for it.

There being no objection, the paper referred to was ordered to be printed in the Record, as follows:

MILEAGE BOOKS.

The National Council of the Commercial Travelers' Associations of the United States, with allied organizations representing the manufacturers and jobbers, has a membership exceeding 900,000. Equally interested with the above associations are the theatrical producers, the moving-picture industry, the Actors' Equity League, the farmers' grange, and the press of the entire country. In their behalf the following statement is made. It is their earnest desire that an interchangeable mileage book be issued to take the place of the present recently established railroad rates which are practically prohibitive and to a certain degree destructive to the business interests of the country.

Up to the present time the roads have declined to issue such a book, claiming it to be class legislation or discrimination. What is desired is a 1,000, 2,000, or 5,000 mile interchangeable mileage book, good on all roads, at 2½ cents per mile. This suggestion as a solution of the difficulty is based upon the fact that it is selling a commodity at wholesale at a cheaper rate, in the same manner as special carload lots are transported at lesser rates.

It is not class legislation or discrimination for the reason that anyone should have the privilege of purchasing such a book, and therefore is not confined to a commercial traveler.

A great benefit to the railroads would lie in the fact that at least 400,000 such books would be immediately purchased, which would mean a cash return to them, if the books were for 5,000 miles, of \$50,000,000 immediately available; and it is possible that this amount might be doubled, which would mean \$100,000,000 immediately available. Books would also be purchased by the employers who would buy them for the use of their salesmen in cases where the expenses are advanced and paid by the employer.

A further advantage to the railroads would lie in the fact that clerical help would be saved because the book would be good on all roads, and could be used for checking and paying excess baggage, thereby saving the expense entailed in the issuance of the numerous books, tickets, and checks necessitated at the present time. Also in the books lost and unredeemed, which the railroad records show amount to several million dollars. This, of course, would be added income to the roads.

The present rates are almost prohibitive and will result if continued in a reduction of nearly 50 per cent of the commercial travelers, and naturally will retard and interfere seriously with the prosperity and business development of the country. Several houses that are in the habit of sending out all of their men at this time of the year are now sending out only a small number, less than one-half of the number that would be ordinarily sent out at this time. This will also result in a curtailment of the freight business of the railroads. It is hoped that action in this matter may be expedited, so that the manufacturers, wholesalers, and jobbers may not be retarded in accomplishing the business prosperity to which the American people are entitled and to which end the Government should do all possible to cooperate and assist.

More than 60 per cent of the commercial travelers of the country have been held from their activities awaiting the issuance of this mileage book, and in consequence this fact has largely contributed to the decreased earnings of the railroads, not only in their passenger-traffic income but also in their freight income, in their express-company income, and in the Pullman income. The hotels, theaters, restaurants, department stores, drug stores, news stands, public conveyances, newsboys, and even bootblacks have also felt this decrease in business, and naturally it follows that the Government will feel it in reduced income from its various forms of taxation that would have resulted had normal transportation expenses existed.

The agricultural, industrial, and commercial world all favor it. The clergy also earnestly favor it. In brief, an interchangeable mileage book of the character outlined has the unequivocal indorsement of the great traveling public, who represent the lifeblood arteries of the Nation, and to their representatives in the Congress they now appeal for relief, the relief which has already been suggested by the President in his message to the Congress.

Mr. ROBINSON. I desire to make a brief explanation in reference to the bill at this time.

During the war passenger rates were made very high, in part for the purpose of discouraging travel. At the present time passenger travel has fallen off very greatly, and that is due, in part, to the excessive rates that are being charged. The railroads have declined to issue mileage books. Many jobbing concerns and wholesalers have reduced the number of their commercial travelers, and those who are still employed are traveling less than half as far, in the aggregate, as they normally travel. This bill, if it passes, will yield an immediate return to the railroads of between fifty million and one hundred million dol-

lars in cash. It will increase passenger traffic very greatly and accomplish no detrimental result, so far as I can see. I ask that the bill be referred to the Committee on Interstate Commerce.

Mr. DIAL. Does the bill introduced by the Senator from Arkansas refer to fares on Pullman cars?

Mr. ROBINSON. This bill has no reference to Pullman fares. It merely relates to carriers engaged in interstate commerce, and provides that they shall issue mileage books for use by passengers, under rules and regulations to be prescribed by the Interstate Commerce Commission.

Mr. DIAL. I had hoped that the bill would also regulate Pullman fares.

Mr. ROBINSON. Rates on Pullman cars are excessive and in time will have to be reduced.

The VICE PRESIDENT. The bill will be referred to the Committee on Interstate Commerce.

AMENDMENT TO FEDERAL LIVE STOCK COMMISSION BILL.

Mr. STERLING submitted an amendment intended to be proposed by him to the bill (S. 659) to create a Federal live stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. SWANSON submitted an amendment providing that the act entitled "An act to repeal section 3480 of the Revised Statutes of the United States," approved July 6, 1914 (30 Stat., 454) be amended by addition, after the word "Army," the words "Navy and Marine Corps," intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

RURAL CREDITS.

Mr. KENYON. Some time ago I introduced what is known as the rural credits bill, which will become an acute subject in the present Congress. In yesterday's issue of the Washington Sunday Star there is a short article by Mr. Milliken explaining the bill. There is also a short editorial from the same paper, which is in the nature of a constructive criticism of the bill. Both articles are very short, and I ask unanimous consent that they may be printed in the Record.

There being no objection, the articles referred to were ordered to be printed in the Record, as follows:

"PLAN TO GIVE UNITED STATES FARMERS BETTER SYSTEM OF CREDITS—MEASURE THAT CONGRESS IS ASKED TO PASS PROVIDES MULTIPLE INSURANCE AS SECURITY FEATURE.

"[By R. C. Milliken, monetary statistic for the rural credit committee of the Association of Pure-bred Live Stock Associations.]

"The enactment into law of the McFadden-Kenyon rural credit and multiple insurance bill would not only be a boon to agricultural production but would greatly strengthen our whole banking and credit systems. No European country relies on ordinary bank deposits for agricultural production as is the case with us. The time required for such credit to reproduce itself is too long to employ ordinary deposits, and where this bad banking method is practiced we find the banks loaded up with frozen assets which make it impossible for them to finance the production and distribution of commerce, the real mission of the deposit bank.

"This bill purposes to create two Federal corporations by two separate special charters, namely, a rural credit society and multiple insurance league. Multiple insurance means all kind of insurance. The principle of multiple insurance is well tried in Europe, where some companies have operated it for more than two centuries.

"The rural credit society will comprise one central bank, 48 branches, 1 for each State, and any number of community associations, which are denominated communes in the bill. The capital of the central bank will be \$25,000,000, which will be furnished by the Government without interest, but a sinking fund is created for its retirement. The capital of the branches will aggregate \$2,400,000, which will be furnished by the big life insurance company which accepts the Federal multiple insurance charter. This branch capital will become a guaranty against the loss of the Government's investment. The stock of the communes will have a par value of \$5 and be paid for by farmer members. This commune stock will not only be another guaranty against the loss of the Government's investment, but will also be liable for the debts of the communes of the several States in which they are situated.

"A member's borrowing capacity will be proportioned to the amount of stock he owns in his commune. For example, a member of a commune of the second class may borrow ten

times the amount of his commune stock. In communes of this class members are jointly and severally liable for the obligations of the commune. In other words, the members are partners. There is no such liability of members of communes of the third class, but in that class a member can borrow but five times the commune stock owned by him. The second or unlimited liability class communes have proven to be the most popular class in Europe. But in order to induce our farmers to adopt that class of commune we must provide a system of sound and economic multiple insurance for them, just as was provided for the European farmers, for with such insurance the poorest tenant in the community can furnish as good security as a basis for credit as the richest farmer.

"Before the war the European farmer obtained credit for production at from 3½ to 4½ per cent, such low interest rates being due to two facts—first, the security furnished for such credit; and, second, because he had access to the credit markets of the financial and industrial centers for his rural bills of exchange, whereas the American farmer is dependent on the deposit bank of his community. The average membership of the German rural credit societies was 92, each jointly and severally liable for the obligations of the other. Therefore each piece of their paper had an average of 92 indorsers, not considering the multiple insurance. It would be unreasonable to expect a wealthy American farmer to enter an unlimited liability commune with a tenant farmer unless we provide a system of sound and economic multiple insurance for the farm credit system.

"Seven farmers may organize a commune, the members of which would elect officers yearly, the officers meeting bi-monthly to pass on applications for loans to members. If the application for a loan be approved the borrower draws a rural bill of exchange, which would be mailed to the State branch, and if approved by the branch a check would be sent to the borrower. This system of 'banking with bills' is the oldest system of banking, antedating the deposit and note-issue systems by 20 centuries of which we have authentic history. Deposit banking is the most expensive credit system extant, it requiring expensive buildings and fixtures to display wealth, besides numerous officers, tellers, and clerks, whereas a rural bill of exchange drawn on a milk stool in a cow barn is just as good as if drawn on a mahogany desk in a marble bank building, as the investor in such paper looks to the system rather than to the individual maker. The total expense of managing the rural credit societies of Germany in 1912 was \$152 per commune, compared to \$44,700, the yearly expense of managing the average national bank in this country.

"It is also the purpose of the McFadden-Kenyon bill to induce one of the best mutual insurance companies in each particular line of insurance to accept the proposed Federal multiple insurance charter and do its particular line of insurance business thereunder instead of its State charter. The farmers in many States are paying 300 per cent more for fire insurance than the farmers in other States who have their local mutuals. A similar disparity in rates on cattle insurance exists, though to a lesser degree than exists in fire insurance rates. What is being done in one State can be done in all the States under similar conditions.

"But conditions must be equal to hope for like results. Some States where the highest fire insurance rates prevail have the most obnoxious fire insurance laws, such as the 'valued policy law,' which enables a man to realize \$1,000 on a building worth but \$200. The true purpose of insurance is to indemnify the unfortunate against a loss and not to enable him to profit by the transaction. To permit one to profit by a fire encourages incendiarism. Such obnoxious laws would not interfere with this multiple insurance league, because it would obtain its charter from Congress and therefore would owe allegiance to but one Government, just like the Federal reserve and farm-loan systems.

"In order to reduce the cost of this insurance we must reduce the expense of management. That is sought under the McFadden-Kenyon bill by making provision for common agents of the two corporations. The secretaries of the communes of the credit society can act as the local agents of the insurance league, and the auditors of the credit society can become the general agents of the insurance league. It has been said, and said truthfully, 'that the average premiums under the plan would be less than \$5, while many premiums would be less than \$1, and if the credit society has to send 10, 20, or 30 miles for an insurance agent to take that application for insurance, the traveling expense of the agent would exceed the net cost of the insurance in many cases. Under the proposed arrangement the applicant and insurance agent would be together at the time the credit is granted, thus eliminating all traveling expenses.'

"By eliminating the expense of the soliciting and general agents we would reduce the cost of such insurance by 50 per cent in most cases. It will be the poor farmers who will be required by the credit society to carry insurance as a basis for credit, for the wealthy who have accumulated wealth to pledge for credit will not be required to furnish insurance. It therefore behooves us to reduce the cost of such insurance to a minimum. It is the purpose of this bill to conserve every sound, economic, and efficient insurance company in the country. By acting as the reinsurance agent for the sound "county mutuals" the proposed insurance league would greatly extend the usefulness of the latter.

"Our farmers in many States have sound fire insurance through their 'county mutuals,' their risks being so widely scattered as to prevent a 'conflagration loss,' such as occasionally happens in the cities. The Baltimore and San Francisco fires wiped out all their local fire insurance companies, their unfortunate premium payers losing everything. The city man has no protection against a conflagration loss when he insures in a local fire insurance company, which limits its business to that one city.

"In the matter of crop, or even frost, insurance, the farmer is in the same position as is the city dweller respecting fire insurance. Sound crop and frost insurance requires an area of operation much larger than any one State.

"Therefore, if the farmers of one State procure a charter from their State to do a safe crop or frost insurance business they would be forced to leave their own State in order to furnish safe protection. But the moment they enter such other State their company becomes a foreign company, just as foreign as any British or German company doing business for profit is, and must comply with the same laws as are imposed on them, even though the proposed company enters such other State, not for profit, but to afford themselves and the farmers of such other States absolute security in the production of agriculture for the whole nation. Congress can relieve this situation by granting the Federal charter of the McFadden-Kenyon bill for the multiple insurance league. Then it would be just as much at home in one State as in another, just like a national bank, which receives its charter from Congress, the only body authorized to legislate for it. If Congress can grant charters to national banks solely to make money, it certainly can grant such a charter as that proposed in the McFadden-Kenyon bill to aid agricultural production. The only Congressmen who would oppose such a measure are those who act one way in an open session and just the contrary in executive or secret session.

"The principles of the McFadden-Kenyon bill have been indorsed by numerous live stock associations, the American Agricultural Editors' Association, the executive committee of the American Farm Bureau Federation, and by some of the best thinkers of our agricultural colleges."

"PRODUCTION CREDIT FOR FARMERS.

"On another page of to-day's Star is published an article in explanation of the McFadden-Kenyon rural credit and multiple insurance bill, passage of which at the present session of Congress is being urged by the united agricultural interests of the country. Briefly stated, the purpose of the bill is to make available to American farmers credit facilities equal to those enjoyed by industrial and commercial interests, and the multiple insurance feature is joined to the credit measure because the farmer's insurance policies are to constitute an additional security for his loans.

"That a more advantageous system of credits is one of the great needs of American agriculture has long been recognized. Deposit banks have not been able to provide such a credit, because sounding banking practice forbids that the demand funds of depositors shall be tied up in long-time loans. Thirty, sixty, or even ninety day loans do the farmer little good, for, unlike merchant or manufacturer, he will make, as a rule, but one turnover of his capital in a year. Experience has demonstrated that the average credit need of agriculture is for a loan maturing in about 11 months.

"The McFadden-Kenyon bill very wisely provides that loans under the proposed system shall be for production only. No loans would be made under it for the purchase of land or luxuries or for any purpose except to further the processes of production. That a better system of credits should be made available to agriculture is of as great concern to the city dweller as it is to the tiller of the soil, and the results sought to be accomplished by the McFadden-Kenyon bill would benefit all the people.

"But the measure is marred by one feature which is objectionable in theory and dangerous as a precedent. It is provided

that the initial capital for the banking system shall consist of \$25,000,000, advanced from the National Treasury without interest. It is true that repayment of this loan is contemplated through creation of a sinking fund derived from an assessment of one-tenth of 1 per cent of the interest proceeds of each loan, but it is contended by proponents of the measure that interest can not be paid the Government without defeating the objects sought by unduly enhancing the interest rate to borrowers.

"This argument seems hardly a valid one. With the one-tenth of 1 per cent set aside as an amortization fund for the repayment of principal and interest, there need be no increase in interest rates to borrowers at all, merely an extension of the period for discharge of the obligation. In the present condition of national finances for the Treasury to advance \$25,000,000 to the rural credits bank means that the Government must go into the market and borrow that much money at current interest rates. If the Government is to be repaid principal and interest, it is merely lending its credit for the accomplishment of a general good and the process is not open to serious objection. But if the interest on the \$25,000,000 is to be an outright gift to the farmers, it becomes a case of taxing money out of one man's pockets to put it into the pockets of another, which is the most objectionable kind of class legislation."

LEWIS CLARKE LUCAS.

Mr. WILLIS. Mr. President, on April 21 last I introduced a bill (S. 1073) for the relief of Lewis Clarke Lucas. Col. Lucas was an officer in the Marine Corps, and the bill, therefore, should have been referred to the Committee on Naval Affairs, but it went to the Committee on Military Affairs. I ask unanimous consent that the Committee on Military Affairs be discharged from the further consideration of the bill, and that it be referred to the Committee on Naval Affairs.

The VICE PRESIDENT. If there is no objection, such will be the order.

HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. CURTIS submitted the following resolution (S. Res. 62), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers; to administer oaths; and to employ a stenographer at a cost not exceeding \$1.25 per printed page; to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate and at such time and place as it may deem necessary, the expenses of travel incident to the sessions of said committee or any subcommittee thereof to be paid from the contingent fund of the Senate.

HOUSE BILL AND JOINT RESOLUTION REFERRED.

The following bill and joint resolution were read twice by title and referred as indicated below:

A bill (H. R. 3152) granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.; to the Committee on Commerce.

A joint resolution (H. J. Res. 52) to authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914; to the Committee on Irrigation and Reclamation.

EMERGENCY TARIFF.

Mr. PENROSE. I move that the Senate proceed to the consideration of House bill 2435, known as the emergency tariff bill, and I call the attention of the Senator from North Carolina [Mr. SIMMONS] to the motion.

Mr. SIMMONS. Mr. President, I should like to inquire of the Senator, if the bill is to be made the unfinished business of the Senate, when he proposes to take it up for discussion?

Mr. PENROSE. My purpose in making the motion is to make the bill the unfinished business. I would be greatly gratified to be able to go on with the bill to-day; I know that a number of Senators are anxiously awaiting the passage of the measure; but of course I want to consult the convenience of the leader of the minority on this particular legislation, and I should be glad to have any suggestions that the Senator from North Carolina may care to make as to when the bill should come up.

Mr. SIMMONS. Mr. President, I have no objection to the bill being made the unfinished business of the Senate, but we have only this morning received copies of the hearings. There were rather extensive and illuminative hearings taken by the Committee on Finance upon the two principal changes which

have been made in the emergency tariff bill since the Senate had it under consideration at the last session. Those changes relate to the antidumping provisions and to the provision regulating the valuation of foreign imports. Senators, of course, ought to have some time to examine the hearings before we begin a discussion of the bill, and such opportunity has been denied them until to-day. The two amendments are of very great importance; they are almost of as much importance to the general industries of the country as the emergency tariff provisions are to the agricultural industry. I suggest to the Senator that he postpone taking the bill up in the Senate until tomorrow at least. I prefer that he fix Wednesday as the date, but if the Senator thinks that is more time than is necessary for Senators to advise themselves with reference to the hearings and to consider the bill as it has been amended, I will not object to its being taken up to-morrow.

Mr. PENROSE. Mr. President, I realize the force of what the Senator from North Carolina has stated. The final print of the bill and of the report was not available until this morning. The amendments to the measure as it passed the House are complex and far-reaching and somewhat complicated concerning the antidumping and valuation clauses. Anxious as I am to pass the measure promptly, I realize that nothing could be gained by undue haste in pushing a measure that Senators have not had a reasonable opportunity fully to examine. Therefore I will press my motion now to proceed with the consideration of the bill, with the understanding that, should the motion be agreed to, I will ask unanimous consent that the bill be laid aside until to-morrow, when I hope the Senator from North Carolina will consent, at least, to have any Senator who is ready to proceed go on with any remarks he may desire to make on the measure.

Mr. SIMMONS. Mr. President, I am not prepared now to make any arrangement as to the course of the discussion; I should rather merely ask that the bill be not taken up until to-morrow. That will be satisfactory to me.

Mr. PENROSE. Then I will press the motion now and ask the Chair to put the question.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Pennsylvania that the Senate proceed to the consideration of the bill named by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenues; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes.

Mr. PENROSE. I ask unanimous consent that the unfinished business be temporarily laid aside. I desire at the same time to inform the Senate that my purpose is to bring the bill up to-morrow, and, if proper and reasonable, I shall ask to have the bill proceeded with.

The VICE PRESIDENT. Is there objection to the request of the Senator from Pennsylvania that the unfinished business be temporarily laid aside? The Chair hears none, and that order is made.

ORDER OF BUSINESS.

Mr. COLT. Mr. President, the unfinished business having been temporarily laid aside, I ask unanimous consent for the immediate consideration of the bill (H. R. 4075) to limit the immigration of aliens into the United States.

Mr. EDGE. Mr. President, I note by the calendar that the immigration bill is on the calendar about the tenth in regular order. Understanding that this is Calendar Monday, and that perhaps those bills on the calendar preceding the immigration bill may be passed by rather quickly, I ask the Senator if he will not defer making his request until the calendar has been called and passed over. I am particularly interested in the third bill on the calendar, being Senate bill 86, introduced by myself. The importance of the early passage of that bill I think I can make apparent to the Senate in about two minutes. I should like, if possible, to have it passed in the regular way as it is reached on the calendar to-day. Of course, I understand that under the rule applicable to the morning hour bills on the calendar, if they provoke debate of more than five minutes and are objected to, have to go over, but I think if I may be permitted a few minutes to explain why the bill should pass that it probably will receive the unanimous approval of the Senators in the Chamber.

Mr. SMOOT. The Senator does not expect to pass that bill under the five-minute rule?

Mr. EDGE. I can see no reason why it should not pass. It merely involves a simple amendment to what is known as the Federal reserve act. It has met general approval; it has been unanimously indorsed by the Federal Reserve Board, and I am quite sure that when it comes up under the five-minute rule I

can explain it—I hope I can, at least—so that Senators will be unanimous to have it passed.

Mr. SMOOT. I hardly think the Senator means that it is the third bill on the calendar. The third bill on the calendar is the bill to create a bureau of aeronautics in the Navy Department.

Mr. EDGE. The bill to which I refer and which I have in my hand is a bill to amend section 25(a) of the act approved December 23, 1913, known as the Federal reserve act. It simply involves an amendment to that act.

Mr. SMOOT. That is the second bill on the calendar.

Mr. EDGE. I am merely consulting the calendar that I have in my hand. It may be an old one.

THE CALENDAR.

The VICE PRESIDENT. The calendar under Rule VIII is in order. The Secretary will state the first bill on the calendar.

ADDITIONAL DISTRICT JUDGE IN ARIZONA.

The first business on the calendar was the bill (S. 395) providing for an additional judge for the district of Arizona.

Mr. SMOOT. A similar bill was passed at the last session.

Mr. ASHURST. It has passed twice before.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the President of the United States shall appoint, by and with the advice and consent of the Senate, an additional judge for the district of Arizona, who shall reside in said district and shall possess the same qualifications and have the same powers and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

SEC. 2. That the clerk of the district court for the district of Arizona and the marshal and district attorney for said district shall perform the duties appertaining to their offices, respectively, for said court.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL RESERVE ACT.

The bill (S. 86) to amend the act approved December 23, 1913, known as the Federal reserve act, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Banking and Currency with an amendment.

Mr. EDGE. Mr. President—

The VICE PRESIDENT. The amendment of the committee will be stated.

The ASSISTANT SECRETARY. The committee reports the following amendment—

Mr. LA FOLLETTE. Mr. President, I ask that the bill go over, unless an explanation is made.

Mr. EDGE. I am addressing the Chair for the purpose of making an explanation.

Mr. LA FOLLETTE. I was waiting for that, but it seemed that the bill was likely to pass without anything being said.

Mr. EDGE. No; I simply thought the committee amendment might be adopted first. I had no intention of having the bill passed without making the explanation. If the Senator desires it, I will make it before the committee amendment is considered.

This bill was prepared under the direction of the Federal Reserve Board, to amend the act providing for the incorporation of banking institutions for the purpose of engaging in international trade. The amendment, briefly, simply provides this:

The original act provides that when banks are incorporated for the purpose of engaging in foreign trade, 25 per cent of the stock subscribed shall be paid at once, the minimum amount of capital of any corporation organized under the act being \$2,000,000. It provides, further, that after the 25 per cent has been paid, 10 per cent shall be paid every 60 days until the entire 100 per cent has been paid. This amendment provides that after the 25 per cent has been paid, providing there is in the treasury at least \$2,000,000, at the option of the directors of the bank, under the control and supervision of the Federal Reserve Board, the additional payments of 10 per cent can be called by the directors as they deem such additional capital necessary.

In endeavoring to incorporate a corporation now with a capital of \$100,000,000—which is extremely important, I will say, if we are going to try to market our surplus products of cotton and of corn and of wheat and of tobacco and of various other commodities—it has been found very difficult to secure subscriptions from associations, from farmers, from banks, and from others who would naturally be interested because of being interested in exporting their goods, where it is automatically required that they must pay in this very large sum of money every two months following the 25 per cent original payment. It is certainly bad business to require the payment of money before the money is needed. Money is not so plenti-

ful these days. To pile up additional capital automatically, if the bank did not have calls considered sufficiently strong to warrant the loan, is simply tying up capital without any real use for it. So the Federal Reserve Board has unanimously decided that inasmuch as this provision is interfering to some extent with the subscription of stock and the ultimate incorporation of the large corporation now under way, to be under their jurisdiction and under their control, it would be entirely proper to amend the act so that it will not be made arbitrary, but the capital can be called as it is found necessary to have the money in the treasury.

I might point out right here, in the very few minutes I have, that the present situation is startling. I consider that it is absolutely essential for this Congress to do something in a practical way to help the present situation as far as it relates to exports. Our exports have decreased since 1919 from practically a billion dollars a month until last month they were only slightly over \$200,000,000. There is cotton in the storage houses to-day sufficient to furnish the markets of the world for all of next year if not a single cotton plant was planted during 1921. The same thing, to a great extent, applies to wool, corn, and other commodities. We have over 500 American steel ships, owned by the Government, operated by the Shipping Board, tied up now in docks in New York and elsewhere because they can not get cargoes. American business men and producers can not fill orders abroad until you help in extending credit, and you naturally can not extend credit abroad until you form organizations of this character in order to have a businesslike organization to do it. So that this simple amendment, approved unanimously by the Federal Reserve Board, is asked for so that this one corporation that has made considerable headway, as I am informed, and secured subscriptions of over \$30,000,000, can function so that these markets abroad wanting our goods can be in a position to have such credit extended as good banking dictates. This is one practical method through which we can improve business and not depend on emergency measures, which usually fail to produce results.

That is all there is in the amendment. The bill was unanimously approved by the Committee on Banking and Currency and reported to the calendar, and I am asking for early action on it simply because the sooner this bill becomes a law the more quickly this corporation can function to help American trade and help American exporters and producers and relieve this problem that I have briefly presented to you.

The PRESIDING OFFICER (Mr. STERLING in the chair). The Secretary will state the amendment of the committee.

The amendment was, on page 2, line 14, to strike out the words "with the consent of the Federal Reserve Board" and to insert "with the consent of the Federal Reserve Board and subject to such regulations and conditions as it may prescribe," so as to make the bill read:

Be it enacted, etc., That section 25 (a) of the Federal Reserve act, being the section added to said act by the act approved December 24, 1919, be amended so that the first sentence of the paragraph prescribing the amount of capital stock a corporation organized under that section is required to have and prescribing also the manner in which such capital stock must be paid in, said paragraph being the fourth paragraph following subparagraph (c) of said section, shall read as follows:

"No corporation shall be organized under the provisions of this section with a capital stock of less than \$2,000,000, one-quarter of which must be paid in before the corporation may be authorized to begin business, and the remainder of the capital stock of such corporation shall be paid in installments of at least 10 per cent on the whole amount to which the corporation shall be limited as frequently as one installment at the end of each succeeding two months from the time of the commencement of its business operations until the whole of the capital stock shall be paid in: *Provided, however,* That whenever \$2,000,000 of the capital stock of any corporation is paid in the remainder of the corporation's capital stock or any unpaid part of such remainder may, with the consent of the Federal Reserve Board and subject to such regulations and conditions as it may prescribe, be paid in upon call from the board of directors; such unpaid subscriptions, however, to be included in the maximum of 10 per cent of the national bank's capital and surplus which a national bank is permitted under the provisions of this act to hold in stock of corporations engaged in business of the kind described in this section and in section 25 of the Federal Reserve act as amended: *Provided further,* That no such corporation shall have liabilities outstanding at any one time upon its debentures, bonds, and promissory notes in excess of ten times its paid-in capital and surplus."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BUREAU OF AERONAUTICS.

The bill (S. 656) to create a bureau of aeronautics in the Department of the Navy was announced as next in order.

Mr. LA FOLLETTE. I ask that that go over.

The PRESIDING OFFICER. The bill will be passed over.

DISTRIBUTION OF WAR TROPHIES.

The bill (S. 674) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 4, line 23, to strike out "\$1,000,000" and insert "\$400,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to apportion and distribute pro rata among the several States and Territories of the United States and the District of Columbia in corresponding ratio as the total number of men serving in the armed forces of the United States, as hereinafter provided, from each State or Territory and the District of Columbia bears to the total number of men so serving from all States and Territories and the District of Columbia, all cannon, gun carriages, machine guns, minenwerfers, mortars, bomb throwers, flame throwers, gas projectors, and other war devices and trophies captured by the armed forces of the United States from the armed forces of Germany and allied nations, with the exception of such cannon, gun carriages, machine guns, minenwerfers, mortars, bomb throwers, flame throwers, gas projectors, and other war devices and trophies as may be required for experimental purposes or for actual use by the armed forces of the United States; and the further exception of such of the devices aforementioned as may be required for display in museums of a national character or for monumental purposes in Arlington National Cemetery and in other national cemeteries, national parks, and national monuments wheresoever situated.

Sec. 2. That the apportionment and distribution provided for in this act shall be undertaken and completed as soon as practicable after the return of the aforementioned war devices and trophies to the United States; and that for the purposes of this act the Secretary of the United States Navy, or such person as he may direct, and The Adjutant General of the United States Army shall separately or jointly compile or cause to be compiled a report or reports showing the number of men in the armed forces of the United States accredited to each State or Territory of the United States and to the District of Columbia, either by enlistment or by the process of the selective service act, or otherwise drawn into and becoming an integral part of the armed forces of the United States during the period hereinafter specified, and that such report or reports shall be laid before the Secretary of War as soon as practicable after the passage of this act, and in no event later than six months from date hereof, and shall serve as the basis for the pro rata apportionment and distribution among the several States, Territories, and the District of Columbia, as hereinafter provided.

Sec. 3. That in the case of the States and Territories the apportionment and distribution, as provided for in this act, shall be made through the governor or chief executive of each of the several States and Territories and in the District of Columbia through the Board of Commissioners of the District of Columbia.

Sec. 4. That for the purposes of this act the term "in the armed forces of the United States" wherever used in this act, shall be construed to include all men enlisted, drafted, or otherwise drawn into and becoming an integral part of the United States Army, the United States Navy, the United States Marine Corps, the United States Coast Guard, and all other armed forces of the United States whatsoever; and that the period of service in the armed forces of the United States, as hereinafter provided, shall be construed to begin with the effective date of the declaration of a State of war between the United States and Germany on April 6, 1917, and to end on the effective date of the armistice between the United States and Germany, at 11 o'clock on November 11, 1918; and that the report or reports of men accredited to each of the several States and Territories and the District of Columbia shall be confined to the period between those two dates, inclusive.

Sec. 5. That all transportation charges on war devices and trophies, as indicated from point of shipment to point of final delivery within the several States, Territories, and counties thereof, and the District of Columbia, shall be borne by the United States Government, but not the expenses or costs incident to erection in local communities.

Sec. 6. That on and after the passage of this act no award or distribution of war devices or trophies captured during the period specified herewith is hereby repealed.

Sec. 7. That to carry out the provisions of this act there is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, the sum of \$400,000, or so much thereof as may be necessary, to be administered by the Secretary of the Treasury.

Mr. WADSWORTH. Mr. President, I ask that the reading of the bill be dispensed with, and that I have permission to tell what the bill does.

This bill was passed by the Senate on a prior occasion, something like 18 months ago. It provides that the Secretary of War shall allot to each of the States and to the District of Columbia captured trophies which are now in the possession of the War Department; that the allotment shall be made to each State in proportion to the number of men the State contributed to the Army and Navy during the recent war; that the allotment having been made to each State by the Secretary of War, the governor of the State shall make the allotment of the material within his State, thereby in turn relieving the Congress of an immense flood of legislation authorizing the granting of cannon or machine guns to thousands of communities all over the United States, and leaving it to the local authorities of the States to make this distribution in the way best fitted for their needs.

Mr. UNDERWOOD. Mr. President, will the Senator let me ask him a question? I have no objection to the bill, and I think what the Senator says is correct, and that this is the proper way to do it; but I received a letter this morning calling to my attention some statement in the papers that the War Depart-

ment was proceeding to distribute these useless cannons now. Can the Senator give me any information on that subject?

Mr. WADSWORTH. My information is that they are not distributing the trophies that were captured in the late war.

Mr. UNDERWOOD. That is what I am talking about.

Mr. WADSWORTH. It is true that the War Department distributes useless cannons of ancient make which it had in its possession before we went into this war; but this bill applies only to the captured trophies, and the War Department has no authority to touch them. They are now in storage, thousands and thousands of them. It costs the Government a good deal of money to take care of them. Many communities would like to have them, and the Senate committee upon a prior occasion, and the Senate itself, thought this was the best way to effect the distribution, and I hope the Senate will repeat its decision in the matter.

Mr. UNDERWOOD. I have no objection to the bill. I think the bill is a good one; but my understanding from this letter was that that was already being done.

Mr. WADSWORTH. It can not be done. There is no authority for it.

Mr. PITTMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Nevada?

Mr. WADSWORTH. Yes; I yield. I wanted to make one further statement, and then I was going to yield the floor.

Mr. PITTMAN. Was there any reason why the bill did not include the Territories in this distribution?

Mr. WADSWORTH. It does include them.

Mr. PITTMAN. I did not understand that.

Mr. WADSWORTH. The title of the bill is:

A bill to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia.

Mr. PITTMAN. I did not hear that.

Mr. WADSWORTH. Now, Mr. President, just one more word as to the history of this legislation.

This same bill was passed by the Senate more than 18 months ago in the last session of Congress. After long deliberation it was amended in the House in this way: Instead of having the governor of each State make the distribution of the material within his State, the House inserted a provision that the delegation in the Congress from each State, the two Senators and the Members of the House of Representatives should make the distribution within the State concerned.

In other words, if the suggestion of the House at the last session of the Congress should prevail, the delegation from the State of New York, for example, the 2 Senators and 43 Members, would meet in solemn session and endeavor to divide up all this material and state where it should be sent within the State of New York. The members of the Committee on Military Affairs of the Senate consulted with a good many Senators about that toward the end of the last session of Congress, and it was the consensus of opinion that any such machinery for the distribution of this kind of material would be very difficult to put into operation and to carry through to a successful conclusion. I leave it to Senators to picture the meetings of the delegations of the several States endeavoring to get together to decide what town gets the machine gun, what village gets a trench mortar, what town gets a cannon, and what town gets an old shell.

The PRESIDING OFFICER. The question is on the committee amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDEMNITY FOR DAMAGES BY AMERICAN FORCES.

The bill (S. 1018) to amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That section 1 of an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918, be, and hereby is, amended to read as follows:

"SECTION 1. That claims of any foreign Government, or nationals thereof, not an enemy or ally of an enemy, for damages caused by American military forces or its agencies engaged in operations incident to the World War, may be presented to any officer designated by the President, and when approved by such an officer shall be paid under regulations made by the Secretary of War."

SEC. 2. That sections 2 and 4 of said act be, and hereby are, so amended that wherever the term "military forces" appears said term shall read as follows: "Military forces or its agencies."

Mr. KING. May I inquire of the Senator from New York whether this is supposed to be the tribunal which is to determine all the claims of the character referred to in the bill?

Mr. WADSWORTH. Mr. President, this bill makes no change in the character of the tribunal whatsoever. The only change which the bill makes is the addition of the words, on line 9, page 1, "or its agencies."

Here is the point: The Comptroller of the Treasury has ruled that an Army transport is not a part of the military forces of the United States. Although she is loaded to the gunwales with American troops and American military supplies, under the command of military officers, nevertheless the Comptroller of the Treasury says that she is not a part of the military forces. Under that ruling, in the event that an American Army transport collided with a French ship or the ship of any other nation the War Department could not settle the claim.

The War Department asks that the words "or its agencies" be inserted in the law in order that we may deal squarely with other people. It is one of the remarkable rulings of the Comptroller of the Treasury.

Mr. FLETCHER. I understand it is intended to carry out what Congress really intended was to be effected by the original legislation.

Mr. WADSWORTH. That is correct.

Mr. FLETCHER. And by a ruling of the comptroller a technical point is raised, which this amendment of the law is intended to cure.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF DESTITUTE DISCHARGED SOLDIERS ABROAD.

The bill (S. 1019) authorizing the Secretary of War to furnish free transportation and subsistence from Europe to the United States for certain destitute discharged soldiers and their wives and children, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to furnish transportation on United States Army transports from Europe to the United States, and subsistence en route, to any person who served in the Army of the United States and was honorably discharged therefrom in Europe, and who is now in Europe and is or becomes destitute, and to the wife and children of such person: *Provided*, That if such person, his wife or children, are not at a port of embarkation of United States Army transports the Secretary of War is further authorized to furnish transportation to such person, his wife or children, to such port of embarkation and subsistence en route: *Provided further*, That all such transportation and subsistence shall be furnished without cost to such person, his wife or children: *Provided further*, That the authority conferred by this act shall cease and determine six months after the approval thereof.

Mr. SMOOT. Mr. President, I desire to ask the Senator from New York a question in regard to the bill. Suppose these discharged soldiers had not requested that they be discharged in France, we will say, or the country in which they were located, and they wanted to come home at the time they were discharged. Would they have had the privilege of bringing their wives and children home at the expense of the Government?

Mr. WADSWORTH. Yes; Mr. President. When the Army was brought home from France, quite a number of the soldiers—I forget how many hundred—were married to French women, and the War Department brought those families home free of charge, on the transports.

Mr. SMOOT. Suppose a soldier was discharged, and his wife was in America at the time he was discharged, and he entered into business in France, and in the meantime he sent for his wife and his children to come over there, when he was out of the Army. Under this bill would the Government pay the transportation charges for his wife and children?

Mr. WADSWORTH. No; under this bill it would not.

Mr. SMOOT. What is there to prevent it?

Mr. WADSWORTH. Because the bill authorizes the War Department to bring them from France to the United States.

Mr. SMOOT. That is what I mean.

Mr. WADSWORTH. The Senator expressed it the other way around.

Mr. SMOOT. I said, suppose a soldier was discharged in France, and at the time of his discharge he had a wife and children in America, and he entered into business in France and sent for his wife and children after he had been discharged, and they went to him in France. Under this bill his transportation and subsistence and expenses would be paid. However, would the Government pay the expenses of the transportation of his wife and children?

Mr. WADSWORTH. Yes; it would in that case.

Mr. SMOOT. That seems to me to be unfair.

Mr. WADSWORTH. Mr. President, I do not know that there is a single case of that kind.

Mr. SMOOT. I know of one case. I do not know whether the soldier is going to return as soon as this bill passes, but I do know of a soldier who was over there; I know he was discharged from the service over there; and that he is in France to-day. I know that he sent for his wife and children after he had left the Army, and I know they are there now. I received a letter from him some little while ago stating that if things did not brighten up before long he would come back to America. Now, the question arises whether the Government, under this provision, would not have to pay his expenses, as well as those of his wife and children.

Mr. WADSWORTH. Just on the transport, that is all. Mr. President, the point is this: When our Army was brought home from France quite a considerable number of men asked permission to be discharged in France. Some of them thought they saw good business opportunities, some of them liked the communities in which they found themselves, some of them had married French women, and determined that they would like to settle down in France. Things of that sort always happen in a great army, as large as an army of 2,000,000 men. Under certain conditions, when the officers felt that the request was justified, the man was given his discharge in France.

At the same time he was paid his travel allowance, which, however, did not include transportation across the ocean, because no travel allowance was paid for that. The travel allowance is paid to a soldier when he is discharged in order to give him enough money to pay his railroad fare from the place at which he is discharged in the United States to his home or where he was enlisted. A good many of these men, however, stayed in France. Some of them, to use a slang expression, have "gone broke"; their prospects are not as rosy as they were, and they are appealing to welfare associations for help; they are coming to American consuls; they are penniless. The industrial conditions in France are such that they have not the employment they thought they could get. The spectacle, of course, constitutes somewhat of a reflection upon the Government and Army of the United States. There are not many of them. It is the purpose of this bill to permit the War Department to transport the men and their families, if they have families, on the Army transports back to the United States, to get them away from France, where they can not make a living, and where the sight of them, of course, is not a very pleasant thing, either to the French people or to other Americans or to themselves.

Mr. SMOOT. I recognize that the facts are just as stated by the chairman of the Committee on Military Affairs; but I really thought that in the case I cited—I do not know how many more there are, but I do know of this particular case—the Government of the United States should not be put to the expense of bringing back his wife when she was an American woman, who went over after his discharge, together with his children. The Government would not have been at that expense if he had not requested his discharge in France. There may be very few cases—

Mr. WADSWORTH. There are very few.

Mr. SMOOT. But I do know of the case I have referred to. It would have been very much better for the Treasury of the United States if he had come home promptly.

Mr. FLETCHER. Mr. President, the Senator will observe the qualification here—

Any person who served in the Army of the United States and was honorably discharged therefrom in Europe, and who is now in Europe and is or becomes destitute, and to the wife and children of such person.

In other words, he must be in a condition of destitution before he could apply.

Mr. SMOOT. I do not think they have enough money to pay their transportation home.

Mr. KING. They will all be destitute.

Mr. FLETCHER. This is only to provide transportation on Government transports.

Mr. WADSWORTH. The Senator will also notice that the last proviso is to the effect that the act shall cease and determine six months after its enactment.

Mr. FLETCHER. It is limited to six months.

Mr. WADSWORTH. In other words, the action under the bill must be closed up within six months.

Mr. KING. May I inquire of the Senator from New York whether the travel allowance is again paid these men?

Mr. WADSWORTH. It is not.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DEPENDENTS OF LIEUTS. JEAN JAGOU AND FERNAND HERBERT.

The bill (S. 1020) for the relief of dependents of Lieuts. Jean Jagou and Fernand Herbert, French military mission to the United States, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to the dependents of First Lieut. Jean Jagou, Seventy-third Infantry, and First Lieut. Fernand Herbert, One hundred and sixty-third Alpine Infantry, both of the French Army, and who were accidentally drowned July 26, 1918, near Camp Cody, N. Mex., while on duty with the French Military Mission and acting as instructors of United States troops at Camp Cody, N. Mex., such sums of money as by the act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department,' approved September 2, 1914, as amended," approved June 25, 1918, is provided to be paid as compensation to the widow or children or other dependents for the deaths from causes occurring in line of duty in the service of the United States; and such compensation shall be payable and be paid as of and from the 26th of July, 1918, and under and according to the terms, conditions, and basis of compensation in the said act provided, and such sums shall be paid in full of all claims, legal or equitable, of said Jean Jagou and Fernand Herbert, their heirs, representatives, or assigns.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXCHANGE OF GOVERNMENT LANDS IN HAWAII.

The bill (S. 1021) to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii was announced as next in order.

Mr. PITTMAN. I ask that that bill may go over.

The VICE PRESIDENT. The bill goes over.

SALE OF WAR DEPARTMENT FOODSTUFFS.

The joint resolution (S. J. Res. 13) authorizing the sale of foodstuffs in the possession of the War Department to any foreign State or Government was announced as next in order.

Mr. SMOOT. Mr. President, I am not going to object to the consideration of the joint resolution. I rose for the simple purpose of saying that I hope the War Department will not sell this stuff as they sold about a year and a half ago other stuff at 20 cents on the dollar, and then those same foodstuffs were sold by the Governments buying them to their own citizens and then shipped back into the United States to be sold here. I hope the War Department will not sell these goods at a price which will permit that to be done.

Mr. KING. May I inquire of the Senator from New York [Mr. WADSWORTH] what became of the recommendation of Gen. Dawes and others who, as I understood, were sent to Europe for the purpose of liquidating our unsettled accounts and making disposition of the unneeded supplies and munitions, as well as foodstuffs, clothing, and so forth?

Mr. WADSWORTH. The property to which the Senator refers was the property of the American Expeditionary Forces and was all in France. All that property has been disposed of in one general sale to the French Government, by which we not only got rid of the property at a fairly decent price but got rid of a lot of claims which saved us a great deal of bother. This is property held in the United States and has nothing to do with the liquidation to which the Senator refers. This is property which the Government has struggled for two years to sell here in our markets, and the American public simply will not buy it. The department wants the opportunity under the law to sell it to foreign countries. If the bill had been enacted a year or a year and a half ago, it would have placed some millions of dollars in the Federal Treasury.

Mr. KING. Does it extend to unnecessary military supplies or merely to foodstuffs?

Mr. WADSWORTH. Only to foodstuffs. The existing law forbids the sale of foodstuffs to any foreign country out of War Department surplus property. This includes foodstuffs.

Mr. HARRISON. If the Senator will permit me, everyone washed his hands of it after Gen. Dawes finished his testimony before the House Committee on Military Affairs.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That the Secretary of War is hereby authorized, in his discretion, to sell to any foreign State or Government with which the United States is at peace at the time of the passage of this resolution, upon such terms as he may deem expedient, any foodstuffs, now or hereafter found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RESTRICTION OF IMMIGRATION.

The bill (H. R. 4075) to limit the immigration of aliens into the United States was announced as next in order.

Mr. COLT. Mr. President, I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Immigration with an amendment in the nature of a substitute.

Mr. COLT. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with.

I will state that this bill is the same bill identically which passed the Senate at the last session restricting immigration to 3 per cent of those who were resident aliens within the territory of the United States according to the census of 1910. That bill passed the Senate with only two dissenting votes. The bill was introduced in the Senate early in this session by the Senator from Vermont [Mr. DILLINGHAM]. This same bill which passed Congress at the last session was also introduced in the House at this session, and which I shall call the old bill. In the House the old bill was changed by making certain exceptions which enlarged the numbers who would come in during this emergency period. The Senate Committee on Immigration considered those exceptions, and they deemed it better to report the old Senate bill as an amendment to the House bill, and therefore the form in which the bill comes before the Senate is as an amendment to the House bill and is the same bill which was passed at the last session of Congress.

It does not seem to me necessary, unless some of the Senators wish information, to go into any debate upon the bill. If the Senate passes the bill in its present form, the bill will be thrown into conference with the House bill, and then we can determine what the final form of the bill shall be; in other words, the points of difference between the Senate and the House can be settled in conference.

Mr. KENYON. May I ask the Senator a question?

Mr. COLT. Certainly.

Mr. KENYON. I understand the Senator to say this is the identical bill as it passed the Senate at the last session of Congress.

Mr. COLT. I mean to say that it is the identical bill, the only change being to provide that it shall go into operation a few days later, which was a necessary change, owing to the fact that the former bill was to have become operative on May 1. This bill goes into operation 15 days after it becomes a law. The bill was fully discussed in the Senate before. It calls for 3 per cent instead of 5 per cent, as originally reported by the Senate Committee on Immigration at the last session of Congress. It was simply a reduction to 3 per cent. It is a compromise measure. Those who were in favor of more liberal immigration yielded to the 3 per cent plan, and those who were in favor of an absolute exclusion were willing to admit the 3 per cent.

Mr. HEFLIN. Mr. President, what is the pending question?

Mr. COLT. The question is upon the passage of the bill, which is identical with the bill which passed the Senate at the last session of Congress.

Mr. HEFLIN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McCUMBER in the chair). The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Brandegge	Harrell	McKellar	Shortridge
Broussard	Harris	McKinley	Simmons
Bursum	Harrison	McLean	Smoot
Cameron	Heflin	McNary	Spencer
Cayper	Hitchcock	Nelson	Stanfield
Caraway	Johnson	New	Sterling
Col	Jones, Wash.	Nicholson	Sutherland
Cummins	Kellogg	Norbeck	Swanson
Curtis	Kendrick	Norris	Townsend
Dial	Kenyon	Oddie	Trammell
Dillingham	Keyes	Overman	Underwood
Edge	King	Phipps	Walsh, Mass.
Fletcher	Ladd	Pittman	Warren
France	La Follette	Poin Dexter	Watson, Ga.
Frelinghuysen	Lenroot	Pomerene	Weller
Gerry	Lodge	Ransdell	Williams
Gooding	McCormick	Sheppard	Willis
Hale	McCumber	Shields	

The PRESIDING OFFICER. Seventy-one Senators having responded to the roll call, a quorum is present. The question is on agreeing to the Senate committee amendment.

Mr. HEFLIN. Mr. President, I understand that as the pending bill is now written it will permit about 300,000 immigrants annually to come into the United States. I think the provision which is made in the bill as reported by the Senator from Vermont [Mr. DILLINGHAM] is a considerable improvement over the bill as it came from the House. The provision of the House bill relative to permitting those who are fleeing from foreign countries because of religious persecution would permit thou-

sands and hundreds of thousands of undesirable foreigners to come into our country.

We have tried for a long time to pass an immigration law that would really restrict immigration and that would guard our shores against the undesirable populations of foreign countries, but we have invariably discovered, after the law had been enacted, that there were loopholes through which such people could come. Undesirables have been coming and they are now coming to this country. I submit, Mr. President, to the Senate and to the country that if this Government ever intends to protect its life against the dangers that threaten it from this very source that time is now. The daily newspapers have been filled with headlines relative to the movements of red anarchists and bolsheviki in the United States. I hold here in my hand the notice of a circular which has been issued by them. This is from Ansonia, Conn., and is dated April 29. It appeared in the Washington Post of last Saturday, I believe. The article reads:

ANARCHIST CIRCULARS URGE REFUSAL TO OBEY LAWS.

ANSONIA, CONN., April 29.

Radical literature again was distributed in this city during the night. Circulars bearing the caption, "The 1st day of May—the day of reckoning and liberation," and purporting to be issued by anarchist groups of the United States and Canada, were found this morning.

In them workers are advised to refuse to pay taxes and rents, refuse to obey laws, take possession of the land, factories, mills, and mines and to go armed to mass meetings or parades.

Mr. President, is this Government called upon to open the doors of this country to people who openly and notoriously advise the violation of our laws, the tearing down of our institutions and the taking over of private property? It seems to me that it is high time that Congress should pass a law that will keep out all people who are unfriendly to the American form of government. Several months ago one of these men who oppose our form of government, and while enjoying its hospitality, unfurled and burned the United States flag before an audience of his kind in the city of New York. I think some small fine was imposed upon him, but he is now again a free man. Is this Government called upon to open the doors of our country to such as he? Is this Government called upon to permit such as he to remain?

Mr. President, some months ago the boys who had returned from France with our flag, covered all over with the glory of their valor, while marching in a parade out in Centralia, Wash., celebrating Armistice Day, were fired upon from ambush and two of them killed. Is this Government called upon to permit any more of that kind from the criminal classes of Europe to land upon our shores?

Mr. President, it is high time for this Government to take stock; it is high time that we were finding out here at home just "who is who" in America.

There was another story in the newspapers Saturday about one of these red anarchists who has been in this country for 17 years and yet he had never been naturalized. Think of it. He has been protected by our laws; he has enjoyed the blessings and benefits of the Government, which he is daily seeking to overthrow. Is there any good reason why we should pass a law that will permit such as he to come over here?

Mr. President, if I had my way about it, I would shut our immigration doors tightly for one year at least, and I would very rigidly restrict it for all time to come.

I am in favor of putting a commission of loyal Americans on the other side of the ocean to pass on prospective immigrants before they ever set foot upon the ship sailing for our shores. I am in favor, then, of having another such commission on this side to examine them and their credentials before they are permitted to set foot upon American soil.

Mr. President, it is no small thing to be a citizen of the United States. Time was when Rome had reached the zenith of her power that the proudest title a Roman could wear was that of a Roman soldier. To-day the proudest boast that mortal man can make is "I am an American citizen." And yet we have people in the United States, not long in the country, who threaten Members in the other branch of Congress and threaten Senators in this branch with punishment at the polls if they do not throw the doors open to all kinds of people coming from foreign countries. Political threats are used and local political power employed to secure the enactment of laws that will permit this stream of undeserving and undesirable people to continue to come into this country.

Thomas Jefferson warned us of this danger; Abraham Lincoln warned us of this danger; Gen. Grant warned us of this danger; a long line of illustrious leaders that I could mention have told us "Your danger is from within more than from without." Danger from within—How? you ask me. By people

coming here who despise our form of government, who hate our institutions, and who spread the poison of their dangerous propaganda.

Senators, I repeat it is high time that we were taking stock; it is high time that we were passing a real immigration law that will keep such people out.

Not long ago I heard a Senator make a plea in behalf of liberal, easy immigration laws and he told us how in the old days we threw our doors open and how great and good people came to our shores. That is true; all of our ancestors came from across the sea; but the difference between the immigrants of that time and this, Mr. President, is that then the individual wanted to come here because he liked our form of Government; because he wanted to become a member of it; because he desired to enjoy its blessings and benefits; because he intended to support its institutions; to fight for it, if need be, and to die for it, if necessary. That is the difference between the old type that came then and some of the miserable horde that is coming now.

Mr. COLT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Rhode Island?

Mr. HEFLIN. I am glad to yield to the Senator.

Mr. COLT. Does the Senator recall that 411,000 aliens waived exemption under the draft and enlisted in the late war under the banner of our country?

Mr. HEFLIN. If there were 400,000 of them who did waive exemption and were willing to fight, I dare say there were 5,000,000 of them who were shirking their responsibilities, dodging the draft law, and refusing to fight for the flag. We convicted a number of them who were openly and notoriously advising people to resist the draft law, who were telling them to paralyze the military arm of the Government in every way they could, and they were doing all in their power to defeat the purpose and the program of the Government.

Mr. COLT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield further to the Senator from Rhode Island?

Mr. HEFLIN. I yield to the Senator.

Mr. COLT. May I say further to the Senator that, of those who strove to avoid the draft, the percentage among the aliens was comparatively low? Indeed, I have seen it stated that it was less than among the native born. I merely make these statements in justice to the aliens. It does not seem to me that exaggerated statements should be made which the facts do not seem to warrant.

Mr. HEFLIN. Mr. President, I have to challenge that statement of the Senator. I do not agree with his statement that a larger percentage of native stock were disloyal and were guilty of slackerism than there were among the aliens in this country. I do not know where the distinguished Senator got his information, but evidently it came from some source not entirely friendly to the Government. I think it is a reflection upon the great body of American boys born here, native to the soil, to say that there were more of them who were guilty of trying to dodge their responsibility in time of war, refusing to follow their flag, than there were of aliens in America.

I know that there are many aliens here who are loyal and true, and they have my very best wishes; but I am speaking of those who do not appreciate our Government, who hate it and urge its overthrow. These are the people I am talking about. This is not fiction that I am speaking about. It is not a mere matter of speculation. I am speaking of the cold facts that stare us in the face each day. There are people here who defy our courts, challenge the integrity and authority of our flag. Why, they blew up some of our guns and munition plants during the war. They poisoned our horses at the camps. They poisoned food intended for our soldiers. How did they come here? They came here through the gates of American immigration laws. I am fighting in my place as a Senator from a sovereign State to keep such things from happening any more.

I would not permit one of them, I do not care whether he puts it under the head of religious persecution or what, to come into this country if I thought there was any doubt at all about where he would be and what he would do after he arrived.

Mr. President, in the old days, when the immigrant came, he came of his own accord, he worked and laid aside a little money in order to enjoy the great privilege of coming to the United States, of becoming citizens of this, the greatest Government on the globe, the freest and best Government in all the world. They were glad to come. They worked and stinted in order to get money to come. How is it now? Why, they have immigration agents now hired who go through foreign countries getting up people to come and fill up the ships that sail for America. These agents are paid money to do what? To get ship-

loads of people to go over to the United States. What kind of people? Any kind, just so they occupy space on a ship and pay money into the purses of the steamship companies of the United States and those of foreign countries, too.

Mr. President, are we to permit citizenship in this country to become in this fashion a mere matter of barter for the benefit of immigration agents and steamship companies? The cattlemen used to send their agents out into the country to buy and drive to the railroad station a carload of yearlings. They would then load them on the train and ship them to market. That is what the financiers of the immigration business are doing now with people whom they bring here and turn loose upon the people of the United States. They have agents going through Europe who display pictures of our savings banks, with the boys and girls from our factories rushing over with hands filled with greenbacks to deposit in the bank. They say to the foreigners: "America is the place. Get your tickets. The ship will sail soon. Don't fail to get your tickets." They fill these ships with people who make the business of the immigration agent profitable and pour money into the pockets of the steamship companies.

The steamship companies haul them over to America, and as soon as they step off the decks of their ships the problem of the steamship companies is settled, but our problem has but begun—bolshevism, red anarchy, black-handers, and kidnapers, challenging the authority and the integrity of our flag, and still we find people who want us to have loopholes in the law so that such may continue to come in.

I do not intend to vote for any such proposition. I would like to shut for a time the immigration door. Thousands come here who never take the oath to support our Constitution and to become citizens of the United States. They pay allegiance to some other country while they live upon the substance of our own. They fill places that belong to the loyal wage-earning citizens of America. They preach a doctrine that is dangerous and deadly to our institutions. They are of no service whatever to our people. They constitute a menace and danger to us every day, and I can not understand the seeming indifference that some national lawmakers exhibit upon this serious subject. This very question of immigration is the most vital question that affects us to-day.

Senators, if we permit this thing to go on the day is coming when you can draw a line through the United States and ask the native stock to get on one side and the foreign born on the other and they will outnumber us. They will be in the majority.

Mr. WILLIAMS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. HEFLIN. I do.

Mr. WILLIAMS. The Senator speaks about the day coming when they will outnumber us. The day has already come, has it not, when they hold the balance of power and can decide a national election?

Mr. HEFLIN. That is true, absolutely true. They can get us divided on any great issue and get their forces in compact, concrete form and hold the balance of power and decide issues that affect the conduct and the life of the United States Government.

Mr. COLT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Rhode Island?

Mr. HEFLIN. I yield.

Mr. COLT. May I ask the Senator if he has seen the recent statistics of the Census Bureau which show that for the 10 years from 1910 to 1920 the increase in the alien-born population of the United States was only 358,442?

Mr. WILLIAMS. But they were not the voters.

Mr. HEFLIN. No.

Mr. COLT. With a population, I might say, of 105,000,000 to 110,000,000, does the Senator think that an increase in alien population in 10 years of a little over 358,000 presents any great danger to American institutions?

Mr. WILLIAMS. Mr. President, if the Senator will permit me—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. HEFLIN. I do.

Mr. WILLIAMS. I hope the Senator will call attention to the fact that while that increase of 350,000 took place in one 10-year period, while we were isolated from Europe for the most part, there were 13,000,000 of foreign-born voters in the United States at the last election.

Mr. HEFLIN. Think of that, Mr. President; if 13,000,000 of foreign-born voters participated in the last election that is as

many, if not more, votes than Presidents Wilson and Taft and Roosevelt all polled in the presidential election of 1912.

Mr. WILLIAMS. I beg the Senator's pardon. I meant 13,000,000 of foreign-born population, with their due proportion of voters. Their due proportion is about 50 per cent in the case of foreigners.

Mr. HEFLIN. Yes; about that.

Now, Mr. President, a great many of these foreigners went out of our country during the World War to fight against us. They were occupying places in this country, making money in our industrial establishments that some real, loyal Americans should have had, and when the war came on and our liberties were imperiled they went back to fight against the flag that had sheltered them and blessed and profited them while they were here. Every year foreigners in America send out of this country millions and millions of money. They send it back to the Governments over there; and these men that I am talking to you about are not citizens of the United States. They have never taken the oath to support that flag. There are thousands and hundreds of thousands of men in this country enjoying all the blessings and benefits that those who support our institutions enjoy, and yet when war comes they get out of the country and take up arms against the flag and the Government.

Mr. President, I want to suggest to the Senator from Rhode Island and to others on the other side that I hear a great deal said about protecting American labor against the cheap labor of Europe; that the standard of living is so much higher here, American labor can not compete with cheap labor of Europe. I could never understand why you would build a tariff wall between the products of the cheap labor of Europe and the United States and then throw the doors to America open to thousands of cheap European laborers to come here and compete with American labor. Yes, come here and compete with the loyal American citizen who has a wife and children to support. If you want to protect these men, protect them by keeping out those who work for starvation wages and spread their dangerous doctrines around the industrial establishments of our country, and take the places of our men, and get money that ought to be going into the pockets of the loyal wage earners of America.

You are permitting people to come over here who never become citizens of this country. They go into our industrial establishments and take the places that should be filled by American workmen. They get the places and American workmen are walking the streets, idle and hungry. Senators, the time has come to stop this thing. We are seeking to keep these people out.

Some Members of the Congress, it seems, are opposed to this character of restriction. Some have constituents back home who say to them, "If you do not vote to permit these people to continue to come, we will beat you at the next election." I want to remind the American people, as I did on a former occasion in this Chamber, that it is high time that we were voting in Congress for the good of the Government of the United States.

Mr. President, in the Saturday Evening Post not long ago there was an article written by Kenneth L. Roberts in which he said that an American consul general in a European city said to him:

Every foreign Government understands that never in the history of the world was there such a movement of peoples as there is to America to-day. All the Governments understand that we have every right to go into the case of every immigrant with extreme thoroughness, because it is becoming a matter of life and death for our people.

Why? Because our very existence is threatened. American institutions are threatened by this influx of the refuse and criminal hordes of foreign countries.

Some time ago the chairman of the Committee on Immigration in the House, Congressman Burnett, of my State, said that while in Italy he made inquiry about a dangerous band of outlaws and cutthroats that he had heard of in Italy. The man to whom he was speaking said: "They have all gone to America." The hearings in the House at that time disclosed that the King of Denmark pardoned 700 criminals with the distinct understanding that they would go to America. In other instances we are told that foreign countries make up purses to send out of their countries undesirables, and they send them to America. God help us to protect the great household of America from the dangers that threaten it.

What care we for wrongs and crimes,
It's dimes and dollars, dollars and dimes.

But they tell us that the immigration agents and steamship companies make money out of it. Away with the interests of America! "What care we for wrongs and crimes; it is dimes and dollars, dollars and dimes." The steamship companies make money out of it. Certain organizations, political and re-

ligious, profit by it. On with the dizzy and dangerous dance they tell us.

I protest against it, Mr. President. I wish I had it in my power to shut these doors tight for at least 12 months' time. We know how upset and distracted the world is. We know how much unrest and distress there is in the Old World, rent and torn by war. People want to get away from conditions over there. They want to leave behind them the big war debts. And what is the suggestion made to them? Go to America. Who is there to encourage them? The hired immigration agents. Who is there to greet and receive them? The steamship companies, ready and anxious to bring them over and dump them down upon the shores of America.

In the name of the boys who fought and died in France, I protest against such a course. I plead for the preservation of the institutions of my country. I plead for the great army of wage earners of America, to protect and defend them against this horde of unfit foreigners who want to come here to take their places in our industrial establishments. I plead for the honor and glory of my flag and for the preservation and perpetuity of American institutions.

The bill that you are going to vote for and have passed by the Senate is not what I would like to see become the law upon this subject, but as it is a great improvement on the House bill I shall vote for it.

THE NONPARTISAN LEAGUE, ITS ORIGIN, DEVELOPMENT, AND ACHIEVEMENTS.

Mr. LADD. Mr. President, I arise with a good deal of diffidence to speak for the first time before this the greatest deliberative and legislative body of the world. But when I read in the Washington Post for Sunday, May 1, 1921, a dispatch carried by the Associated Press that a former President, speaking before an audience at the New York University, has, as on previous occasions, denounced that great group of American farmers in the Central West and so cast indirectly reflections upon all the tillers of the soil, the real producers of the great share of the wealth and who constitute more than one-third of the population of this country, the largest single employer of labor, and who has more real wealth invested than in all the railroads, mines, and manufactures combined, I would fail to do my duty or in my humble way to try to represent the farmers should I allow this statement to go unchallenged. The headline reads:

Taft denounces radical politics—Asserts Nonpartisan League is not patriotic, and socialists are fomenting class war.

In the text of the dispatch, we find:

He said the Nonpartisan League, a combination of farmers originating in North Dakota, is not a patriotic American party.

Ex-President Taft has during the past year gone out of his way repeatedly to cast reflections upon the farmers' aspirations as represented by the Nonpartisan League, as well as upon the speaker, when it suited his purpose, and, apparently as expected he would do by some of his shortsighted political and banking advisers. It is clearly evident Mr. Taft knows very little of the real problems of the practical farmer who tills his own land, but has depended upon information largely furnished by that group who have for ages and in North Dakota for the past 40 years farmed the farmers, and from which group the tillers of the soil are determined to break away in their own orderly fashion and as loyal American citizens, not, as Mr. Taft would have you believe, as hoodlums and anarchists.

I propose to speak therefore at some length on the Nonpartisan League, its origin, development, and achievements.

The farmers of North Dakota are neither free lovers, bolsheviks, or socialists, and they have not attempted to go beyond their just rights nor have they attempted to destroy property rights, as I will try to show. Their acts have been tested in every court of the land, and the Supreme Court of the United States no later than June, 1920, upon the constitutionality of the acts of the legislature, said:

(Supreme Court Reporter, 250-253 U. S., October term, 1919, pp. 502 and 503.)

This is not a case of undertaking to aid private institutions by public taxation as was the fact in *Citizens' Savings & Loan Association v. Topeka* (20 Wall., 665; 22 L. Ed., 455). In many instances States and municipalities have in late years seen fit to enter upon projects to promote the public welfare which in the past have been considered entirely within the domain of private enterprise.

Under the peculiar conditions existing in North Dakota, which are emphasized in the 243 Opinion of its highest court, if the State sees fit to enter upon such enterprises as are here involved, with the sanction of its constitution, its legislature, and its people, we are not prepared to say that it is within the authority of this court in enforcing the observance of the fourteenth amendment to set aside such action by judicial decision.

Affirmed.

In order to fully understand the Nonpartisan League and the reasons for its existence one must know the peculiar background in North Dakota.

North Dakota is one of the larger of our States, with an area of 70,000 square miles, very sparsely settled, and has a total population of less than 700,000 people. Agriculture is its chief industry, and 80 per cent of the entire population live on farms, while another 10 per cent live in villages of from 100 to 500 persons. Only 10 per cent of the population dwells in cities, and the largest city in North Dakota has only 22,000 people.

Although the majority of the people in North Dakota were born in the United States, about one-fourth of the people of the State come of Scandinavian stock and perhaps an equal proportion are of German and Russian extraction. These farmers or their immediate ancestors came to North Dakota only a generation ago when the Territory was open for settlement and homesteaded the land from the Government, and in 35 years their industry has transformed what were barren prairies, roamed only by the buffalo, elk, and deer, into one of the greatest agricultural producing States in the Union.

But while the farmers of North Dakota were producing great yields of grain year after year, which was materially contributing toward the wealth of the Nation, and while bankers, millers, grain buyers, insurance agents, and all those who did business with the farmer were making money, the farmers of North Dakota as a class grew poorer and poorer. Statistics show that in 1915 more than two-thirds of the farms of North Dakota were mortgaged and more than one-fourth of the farmers of North Dakota were tenants on the land they tilled.

This unfortunate condition had been created in a single generation in one of the most fertile farming countries in the United States.

Naturally there was a reason, and the reason was not difficult to find. The increasing poverty of the farmers of North Dakota was the direct result of an unjust marketing system, which permitted their ruthless exploitation by the great grain-buying and milling interests of Minneapolis and Chicago.

It is hardly too much to say that for a generation North Dakota was treated by great interests outside the State much as the Romans ruled their conquered Provinces. The financiers, millers, insurance men, packers, and grain-buying and railroad interests which centered in Minneapolis and St. Paul, Minn., looked upon North Dakota as their exclusive trade preserve and taxed its people all the traffic would bear. Discriminatory railroad rates, which frequently in years past averaged at least 40 per cent higher than charges on the same commodities in the neighboring State of Minnesota, made it difficult and almost impossible for North Dakota to develop its own industries, so that practically everything the State produced was shipped to the Twin Cities and Duluth, and virtually all commodities consumed in the State had to be purchased from these outside points.

This in itself was a very uneconomical system and not conducive to the development of the State's prosperity; but, in addition to this, the farmers suffered gross injustices in the marketing of the grain, which composed their staple crop. Practically all of the elevators in North Dakota were controlled by concerns closely connected with the Minneapolis Chamber of Commerce. Many of the banks in North Dakota also were owned by the same interests, and it was no coincidence but part of a settled policy that notes, mortgages, and other obligations incurred by the farmers usually fell due in the fall of the year. This and a lack of storage facilities compelled the farmers of North Dakota to market their crop almost immediately after it was thrashed, and for a period of 35 years price tables indicate that the grain from North Dakota was marketed when prices were at their lowest point in the year; but, more than that, the buyers took advantage of the farmers in the matter of grades, correct weights, and dockage in their grain.

Repeated experience convinced the farmers that there was something fundamentally wrong with the system that compelled them to sell always on a falling market when by holding their wheat a few weeks longer—not dumping on the market at times of harvest—they could get materially higher prices. The farmers of North Dakota also complained, with justice, about discriminations and frauds practiced upon them through the grading of their grain. The elevator men who purchased the grain fixed the grade which determined its value, and naturally it was to their advantage to make the grades as low as possible. In many cases grades were so arbitrarily fixed that the same load of grain has been given different grades at different elevators, and there are cases on record where shrewd farmers took the same load of grain to the same elevator on different days and had it graded differently—apparently the determining factor but a whim of the buyer.

The flagrant injustice of allowing the grades of grain to be arbitrarily fixed by the buyer is best evidenced by the fact that

the great terminal elevators at Minneapolis and Duluth habitually sold more bushels of high-grade grain than their records showed they had purchased from the farmers. Evidently by some mysterious hocus-pocus grain became enhanced in value after it had left the farm and gone into the hands of the grain buyers, and, of course, this manipulation in grades cost the farmers of North Dakota in the aggregate many millions of dollars every year.

The best illustration of the essential dishonesty of this system of marketing was shown in 1916, when hot winds resulted in the production of shriveled kernels of wheat throughout North Dakota. The grain buyers announced that this wheat was unfit for human consumption and that none of the existing grades would cover the case. Therefore they said that the North Dakota wheat last year would have to be used for chicken feed, and special feed of the A, B, C, and D grade was devised to suit the occasion. Practically the entire crop of North Dakota wheat that year was purchased as feed—A, B, C, or D wheat—and the price of this wheat ranged from 40 cents to \$1.05 per bushel under the ordinary grades at which the farmers had formerly sold their wheat. As a consequence the farmers of North Dakota lost millions of dollars on that one crop, and their rage and chagrin can be imagined when it was afterwards discovered that the mills of Minneapolis not only manufactured this wheat into flour but had the supreme audacity to claim superior quality for this flour on the ground that it was unusually rich in gluten—absorbed a large amount of water and made an exceptionally large loaf of nutritious bread. Copies of the circular letters which millers sent out to their trade advertising this flour came into my possession and enabled me to expose this gigantic swindle which had been perpetrated upon the producers of North Dakota. It was this fact more than any other that caused the farmers of North Dakota to enroll in the Nonpartisan League in such numbers.

For more than 10 years the farmers of North Dakota had realized that the marketing system was wrong and had been casting about for methods whereby they could get a fairer price for their grain. Most of them finally came to the conclusion that the erection of a State-owned terminal elevator would materially improve their situation. They believed that State-owned terminals would permit them to secure fairer grades, more reasonable dockage, and to hold their grain for the inevitable rise in price which always occurred after the season of thrashing. Consequently, way back in 1907, after the issue had been agitated and discussed all over the State, the farmers of North Dakota, by a majority vote of 86 per cent of the people, instructed the legislature to build a State-owned terminal elevator. The legislature did not heed this mandate, giving as an excuse that the erection of a State-owned terminal elevator would be unconstitutional, and two years afterwards, at another election, for a second time, by a majority vote of practically 86 per cent of the people, the constitution was amended so that the elevator could be built. Once more the legislature failed to heed this mandate of the people, giving as the excuse this time that they were not certain whether the terminal elevator should be built within the State or in the terminal market of Minneapolis. A third time the farmers passed a measure instructing them to build it within the State; then the legislature pointed out that the measure failed to provide an appropriation, and two years more were wasted, until the farmers for a fourth time, by an overwhelming majority, repassed a measure instructing the legislature to build a terminal elevator and provide an appropriation for it. This was in 1914, for seven years had elapsed through the dilatory tactics of the legislature, and it would seem by this that the people of North Dakota had made their wishes in this matter most manifest and that nobody of the elected servants would dare to refuse their plainly expressed mandate. But the North Dakota Legislature was completely dominated by agents of the milling combine and the railroads, and once more it refused to accede to the wishes of 86 per cent of the people.

It was at this time, in the winter of 1915, that a delegation of about 300 farmers went to Bismarck to ascertain why it was that the legislature would pay no attention to their demand for a terminal elevator, and it was on this occasion that one of the old guard legislators in the course of a speech against the terminal elevator, turned to the farmers, who were patiently sitting in the gallery, and said: "You farmers go home and slop your hogs. We will make the laws in this State." This insult, on top of the years of neglect, was a material factor in the formation of the Nonpartisan League, for the delegation of farmers who had thus been publicly flouted held a meeting at a hall at the State capital that night, and at the meeting it was determined to form a great State-wide organization that would elect men to the legislature who would carry out the

wishes of their farmer constituents. Of course, other factors combined to force the farmers into politics, for about this time the attorney general of the State brought suit against and tried to dissolve the Society of Equity, which had been organized by George Loftus and which purposed to right the wrongs of the farmers through cooperative elevators and mills. The attack of the attorney general was undoubtedly inspired by the Minneapolis grain combine, and it made it plain, even to farmers who favored cooperative rather than State ownership as the best method of solving their difficulties, that they must enter politics in order to protect their cooperative industries.

The organization of the Nonpartisan League looked like a hopeless task. There were approximately 80,000 farmers in North Dakota and they were scattered over a great area, larger than all New England, but its organizer, A. C. Townley, started walking from farm to farm and asking the individual farmers to sign a short political platform which had been formulated, and on the first day out he called upon six farmers, all of whom joined. The first week that Townley was organizing he called upon 79 farmers and 78 of them joined the organization and paid him dues. This shows how ripe North Dakota was for a farmers' organization. Soon Townley put other organizers to work and soon the organizers were riding about in Fords instead of walking from farm to farm. The movement swept the State like a prairie fire, and in less than six months' time more than 20,000 members had joined the organization and paid two years' dues in advance.

The platform of the Nonpartisan League was short and explicit. It demanded, first, the construction of State-owned elevators and mills, the establishment of a rural credits bank to give the farmers long-time loans at low interest rates; the creation of a department by the State that would insure the farmers against loss by hail, exemption of farm improvements from taxation, and the passage of equitable grain-grading laws which should be administered by the State grain inspection department.

The political tactics of the farmers were in keeping with this concrete program. Members of the Nonpartisan League of every township met in caucus at their schoolhouses and named delegates to their county conventions and legislative nomination. To prevent any hand-picked slate from being railroaded through, the name of every man present was placed in nomination, and then the farmers voted for their choice in a secret ballot. In each ballot the name of the low man was eliminated until finally a successful nominee had a majority of all the votes cast. This process was slow, but it was democratic and resulted in a high type of men being chosen as delegates to the State conventions and nominees for the State legislature. The farmers as a result of their experience had a distrust of professional politicians, and generally they carefully avoided nominating these self-seeking gentry and chose for their legislators fellow farmers whom they knew and trusted. Most of these men did not seek the office, but were literally drafted into political service by their neighbors who insisted that they serve, and few of these men refused to serve even though in many instances it meant great personal sacrifice. The candidates for State officers were chosen at State conventions in much the same way, and Lynn J. Frazier, the first farmer governor of North Dakota, who is now serving his third term, was not even a delegate to the convention. The farmers spent three days in canvassing the situation, and some of Frazier's neighbors mentioned him as a good man. He was spoken of so highly that finally the convention called in other men from Frazier's neighborhood, and they were cross-examined as to his character and qualifications. This quiz convinced the farmers that Frazier was the right man and he was unanimously nominated, although most of the farmers had not even seen him and only knew about him through the testimony of his neighbors and friends. Frazier himself had no knowledge that he was being considered for the position, and, like Cincinnatus, he was plowing in the field when a delegation of his neighbors notified him that he had been nominated for governor. "Why, gentlemen, I have had no experience in politics," Frazier exclaimed. "That is why we picked you, Lynn," wittily responded the quizzical old farmer whose experience had led him to suspect all professional politicians. Most of the other candidates for State office were chosen in much the same way, and the majority of them were farmers. It is noteworthy and quite typical that this convention only indorsed three men of the professional politician type, and that all of these men afterwards turned traitor to the farmers' movement while every actual farmer elected to the State office by the Nonpartisan League has remained true to the men who put him there.

The Nonpartisan League did not put up candidates on an independent ticket. It was, as its name implied, nonpartisan, and the candidates it indorsed entered either the Democratic or

Republican primaries as the exigencies dictated, and all members of the Nonpartisan League, whether Republican, Democratic, Progressive, Prohibitionist, or Socialist, pledged themselves to vote for the nominees indorsed at their caucus. The league had grown so rapidly that in the spring of 1916 its nominees swept the Republican primaries, and in the fall elections of the same year Gov. Frazier and all his associates were elected by top-heavy majorities. The league also elected more than two-thirds of the members of the lower house of the State legislature and practically all the senators who were up for office.

North Dakota, however, has a constitutional provision whereby only one-half of the State senate is elected every year, and although the Nonpartisan League had elected a majority of the senators whose terms expired, the hold-over majority in the senate controlled that body and the farmers of North Dakota once more found the accomplishment of their hopes had been blocked by a small coterie of professional politicians. The Nonpartisan League majority in the house of representatives promptly passed laws incorporating the demands of their program, but the reactionary hold overs in the State senate refused to heed the will of the majority and the legislature adjourned without passing any of the measures which had been promised to the farmers by the leaders. The professional politicians hoped that the league would fall apart as a consequence. They predicted that the farmers would be so disappointed over their failure to get a prompt enactment of the laws desired that they would turn upon their leaders in disgust; but, instead, the spirit of the farmers was only strengthened. The leaders explained that the program had been blocked entirely by the remaining professional politicians in the legislature and that it would be necessary to wait two years and reelect the lower house of the legislature and defeat the reactionary senators who had blocked their program. With marvelous patience, the farmers grimly awaited to inflict the final defeat upon the men who had blocked their program for so many years, and instead of disintegrating, the league greatly increased its membership.

In the meantime this country entered into the war with Germany, and the great corporate interests, whose selfish profits were jeopardized by the Nonpartisan League program, took advantage of this fact and tried to destroy the organization by accusing its leaders of pro-Germanism and disloyalty. History shows that in all countries all reform organizations are always accused of disloyalty in times of war, but history offers few parallels of the vicious and despicable assaults made upon the loyalty of the Nonpartisan League farmers. In Minnesota, Montana, South Dakota, and other neighboring States where the organization had taken root and was growing rapidly, the farmers were insulted and had their patriotism impugned; but in many cases league organizers were mobbed, tarred and feathered, and otherwise maltreated, and the farmers themselves were denied the constitutional rights of free speech and peaceable assemblage by disorderly mobs of overzealous officials who illegally broke up their meetings or placed a ban upon all political speeches. The farmers accepted this situation with real patriotism and remarkable patience or otherwise a very serious situation would have been created by unscrupulous politicians, who claimed to be fighting for democracy abroad, but were suppressing it at home with all the attributes of the Kaiser they were seeking to overthrow.

This situation did not exist in North Dakota, however. There was an oasis of sanity in a desert of hysteria. Gov. Frazier, fortunately, was that sterling type of an American who believed in upholding constitutional rights at all times. He knew the Constitution pretty well and he could find in it no provision which declared it inoperative in times of war. Therefore the governor announced that in North Dakota there would be no mobbing, no tarring and feathering, no repression of free speech, and no dispersal of public assemblage by law-abiding citizens. "If anyone says anything seditious, we will put him in jail," said the governor in effect. "But if anybody tries to break up a meeting because he thinks somebody is going to say something seditious, then he will go to jail." The common sense and firmness of the governor proved very efficacious and North Dakota was not disgraced by mob violence and hoodlumism which were connived at, if not often encouraged, by the governors of its neighboring Commonwealths.

North Dakota also had a war record of which every citizen of the State is proud. North Dakota oversubscribed its quota in every Liberty bond drive. In the second drive it had the largest per capita subscription of any State in the Union, and in both the third and fourth Liberty loans it was the first State in the Union to complete its quota. North Dakota also made a splendid record in donations for the Red Cross, Young Men's Christian Association, and other war activities, and its drafted men were put in the Army at a lower expense than any other

State in the Union. North Dakota also had the unique distinction of having one county where no men were drafted, as every eligible man volunteered. The State is also proud of the fact that it set an example for the rest of the country in its treatment of its soldiers while they were in the Army and after they were returned from war. During the war the North Dakota Safety Commission declared a moratorium on soldiers' debts. The families and dependents of the soldiers were not permitted to have their property foreclosed or to be ejected from their homes as they were in some neighboring States, and when the boys returned from abroad North Dakota was the first State in the Union to voluntarily give them a substantial bonus and as yet unequalled by any other State, namely, \$25 per month for each month or fraction of a month actually in the war service.

Despite efforts of opponents of the Nonpartisan League to create prejudice against it by fanning the war hysteria, Gov. Frazier and the entire State ticket were renominated again in the spring of 1918 and reelected by substantial majorities in the fall of the same year. The league also elected more than two-thirds of the members of the lower house of the legislature and practically all the senators running for office, so that now for the first time it controlled both branches of the popular assembly. The Nonpartisan League now controlled every department of the State government, executive, legislative, and judicial, for the league leaders had taken the precaution to nominate and elect four members of the State supreme court. This step was bitterly denounced by its opponents, who declared that "the judicial ermine was being smirched" and that "the supreme court was being dragged into politics." This did not deter the farmers from putting up their own judicial candidates. They strongly suspected that even courts had divided opinions and might not always understand and appreciate the agricultural and industrial problems confronting the farmer, and it would not be unwise to select men for these positions who had manifested a liberal attitude in considering the farmers' problems. It is well that the league leaders had the prevision to gain control of the supreme court, for otherwise, judging by the experiences of other Commonwealths which have since, as well as previously, tried to benefit the lot of their people by legislative enactment, it is extremely probable that a constant succession of writs, injunctions, and other legal obstacles would have impeded their political progress more effectively than they have thus far been able to do with their many attempts which the courts have strongly resisted.

Having complete control of the State government, the Nonpartisan League officials did something absolutely unique in American political history. They were elected on the pledge to enact a definite political program, and they now proceeded to carry out their promises. I repeat that, so far as I can ascertain, this was never done before and has never been done since by any great political party. In a legislative session lasting less than 60 days every measure for which the people of North Dakota had waited for so long is written on the statute books of the State. A State mill and terminal elevator was authorized, the State bank was created, a State hail insurance department and State home-building association were authorized, and then the legislature adjourned after authorizing the issuance of \$17,000,000 in bonds for the creation and operation of their industrial utilities, and empowering the governor, the attorney general, and the commissioner of agriculture and labor as members of the industrial commission with managerial powers over all the State utilities. Had the farmers stopped at the establishment of these State industries, intended to improve the condition of agriculture, they might have left themselves open to the charge that they were motivated entirely by selfishness and passing only class legislation.

But the farmers did not stop there. They passed 17 correlating laws tending to improve the status of organized labor and of women and children in industry. One was a workman's compensation act, another was a model mine inspection law, it was made obligatory to provide shelters for workmen engaged in out-of-door employment, child labor was prohibited, minimum wages were fixed for women, it was made illegal to employ women for more than an 8-hour day, picketing was permitted, and the use of injunction in labor disputes prohibited. Space prohibits a detailed description of these laws, but union leaders agree that they comprise the most advanced program of labor legislation in existence anywhere in the United States. These laws were passed without pressure or coercion, and solely because the farmers generously felt inclined to give to their fellow workers in the city the same measure of justice which they were demanding for themselves.

The farmers of North Dakota thought that at last the long-promised relief was at hand, but instead they found that they were only entering upon the real fight, for with a cynical disre-

gard of the majority will the corporate interests whose profits were jeopardized by the Nonpartisan League program proceeded to resort to every possible subterfuge to defeat the will of the people. Their first step was to invoke the referendum law, which the nonpartisan legislature had enacted, and less than four months after the legislature had adjourned a special election was called to either ratify or reject the laws it had passed. The laws were ratified by a large majority, and then opponents of the league brought suit in the courts to contest the legality for this industrial program. The district court decided the program was constitutional, and this decision was affirmed by the State supreme court. Then the foes of the league took the case into the Federal court. Judge Charles F. Amidon, of the Federal district court, in a remarkable decision upheld the constitutionality of the whole program and pointed out its economic necessity. Appeal was immediately taken to the United States Supreme Court, which on June 1, 1920, by a unanimous decision sustained Judge Amidon and ended all further question as to the entire legality of North Dakota's industrial program.

In the meantime members of the North Dakota Industrial Commission, confident that the decision of the lower courts would be sustained by the United States Supreme Court, had gone ahead with their industrial program. The hail insurance department began operations, the home-building department started to build homes, the bank was created and commenced to function, and the State purchased a small mill, which was operated by the industrial commission, pending the completion of the 3,000-barrel-a-day mill which is now under construction. These industries have been in operation for a little more than a year and a half, and despite the incessant opposition, which has done everything in its power to make their operation difficult, they have made a splendid record of accomplishment.

The State hail insurance department, which insures the grain of the farmers against damage by hailstorms, has been in operation for two seasons. There were some 35 private hail insurance companies in North Dakota, and their premiums averaged 77 cents an acre for \$7 worth of insurance in case the farmer's grain was damaged or destroyed. The State hail insurance department has given the farmers the same amount of financial protection for 28 cents an acre, thus saving the farmers of that State 49 cents on every acre of grain insured against damage by hail. In its two years of operation the State hail insurance department has insured more than 24,000,000 acres of grain, and on this single item alone the farmers of North Dakota have been saved approximately \$12,000,000 in two years. The State hail insurance has demonstrated its efficacy and this one department of the State government has more than justified the agitation and expense incurred by the Nonpartisan League.

The State Mill & Elevator Association began its activities in a very small way. The State purchased a 75-barrel-a-day flour mill at Drake, N. Dak., and has been operating it for more than a year. This mill made 83 per cent profit on the total purchase price in the first 111 days of its operation. After that the industrial commission distributed the profits in the shape of higher prices for the farmers' wheat and lower prices for the consumers' flour. The farmers were paid on an average of 12 cents a bushel more for their wheat than they could receive at any of the private mills or elevators in North Dakota, and the flour which was manufactured from this wheat was sold at from 50 cents to \$1 a barrel under the price charged by the private mills. The shorts, bran, and other by-products of the mill were kept in North Dakota and sold for \$7.50 a ton less than was charged for the same materials by private concerns.

The State mill, although it has only been run on an experimental state, has demonstrated that huge savings can be effected in the marketing, manufacture, and distribution of North Dakota's wheat crop when the State enters into this business on a large scale. If the entire wheat crop of North Dakota could be handled by the State and manufactured into flour the annual savings to the producers and consumers of the State would not be less than \$60,000,000. Opponents of the Nonpartisan League place great stress upon the fact that a recent audit of the State industries showed the mill to have lost \$17,000 on its year's operation. Now, this fact can be easily explained. In the first place, the mill did not attempt to make a profit, but manufactured at cost, giving higher prices to the producer and charging less to the consumer. In the second place, in the fall of 1920 the price of wheat dropped rapidly from \$2.50 to \$1.50 a bushel, and this depreciation in the price of stored stock of grain accounts for the small loss shown by the State mill. Practically all the private mills in the Northwest were hit by the same calamitous drop in prices, and many of them lost huge sums of money. The book loss shown by the small State mill is trifling, indeed, when compared to the vastly larger sums it has saved

for the people of North Dakota. The State mill has proved its worth and the farmers of North Dakota more than ever are determined to carry out the principle of State ownership in the marketing and manufacture of their grain. Work has been started on the 3,000-barrel-a-day mill at Grand Forks, N. Dak., and will be completed as soon as the bonds for that purpose are sold.

In connection with the mill the model grain-grading laws enacted by the Nonpartisan League have already saved the farmers of North Dakota many millions of dollars. The new laws provide that when there is a dispute about the grade of grain a sample shall be sent to the State grain inspector, who determines the grade on its milling value. Farmers are also paid for dockage, which the grain buyers formerly had not recompensed them for, and it is estimated conservatively that these two laws alone have saved the farmers of North Dakota between three and five million dollars every year. Reduced and equalized freight rates have saved the people of North Dakota several million dollars more annually.

It is the State bank, however, which is the keystone of the industrial program of the Nonpartisan League, that has incurred the most bitter enmity on the part of the great financial interests which have been fighting this program. They realize that if the State bank is successfully operated in North Dakota it is likely to be adopted by other States, and this would strike them a heavy blow on the solar plexus of their industrial power. In fact, I am informed the South Dakota Legislature at its recent session took steps preparatory to establishing such a bank after the people have had an opportunity to vote on the proposition. It may also be worth calling attention to that the State of South Dakota this last summer came over into North Dakota and purchased a coal mine at Haynes and are operating the same to supply their public institutions.

Every unscrupulous means that fear and malice could suggest have been employed in the attempt to destroy the Bank of North Dakota. The fight is continuing and the boycott of the North Dakota bonds which has been decreed by Wall Street and other financial centers is part of the concerted campaign to coerce the farmers of North Dakota and to compel them to abandon or fatally compromise their program. But despite this vicious and un-American conspiracy, the Bank of North Dakota is still solvent and the people of North Dakota are still determined to carry on the fight they have been waging so long.

The Bank of North Dakota combines the best features of the Federal Reserve System and the Federal farm loan act and is being operated in the interests of the people of the State. By law the Bank of North Dakota is made the depository of all public funds and it acts as the central reserve and clearing house for the some six hundred private banks of that State. In addition to acting as a reserve and central clearing house, it accepts deposits from both within and without the State and conducts a rural credits department which loans money to farmers for 30-year periods, which is paid back at the rate of 7 per cent a year on the amortization plan. Interest rates charged by the private banks of North Dakota were excessive, and this was one of the chief grievances of the farmers. The Bank of North Dakota, although handicapped by the boycott of its bonds, which deprived it of \$10,000,000 contemplated for the purpose of real estate loans, already has materially reduced interest rates throughout the State by loaning approximately \$3,000,000 to farmers. It also has proved a great source of strength in the acute financial stringency which was created in all the agricultural regions of the country as a result of the rapid drop in the price of all farm products. It is hardly too much to say that it was the stabilizing influence of the reserves mobilized by the Bank of North Dakota which prevented a disastrous panic in that State. Only 42 banks have closed their doors in North Dakota despite the fact that there have been four crop failures in the western part of the State and many of these will reopen again early, whereas more than 100 banks have closed their doors or failed in Georgia and more financial institutions have closed their doors in the adjoining North-western States than there have in North Dakota, although the publicity propaganda is not used in their case as in North Dakota. The Bank of North Dakota, although it has performed great public service at a low cost, has made a net profit of \$129,000 in the 18 months of its operation in addition to creating a surplus of \$40,000 and repaying the legislative appropriation of \$24,000 necessary for its establishment. In view of this record the Bank of North Dakota has more than justified the warmest predictions of its creators and has proved that a public bank administered in the interests of the public can be of inestimable benefit in curbing the usurious charges of private monopolists.

The home-building law of North Dakota is another novel act designed for the welfare of its citizens. This law provides that any citizen can make deposits with the State for the purpose of purchasing a home. He is paid 6 per cent interest on these deposits, and when he has accumulated \$1,000, for example, he then can go to the proper authorities, they will select and purchase a site of the house, agree upon the plans, and then will advance \$4,000 in addition to the \$1,000 put up by the citizen purchasing it, who is given 20 years in which to repay this sum on equal monthly installments. Under this humane and efficient system an individual can purchase a \$5,000 home in North Dakota for \$28.65 a month after he has made the initial payment. This is actually cheaper than the average rent for the same sort of a dwelling, and there has been a great demand for homes in North Dakota since this law was inaugurated.

The foregoing, in brief, is the history of the Nonpartisan League and its accomplishments in North Dakota. It is the history of a people who were ruthlessly exploited by great corporate interests until in self-defense they turned and sought an economic remedy. After due deliberation they decided that the only way in which they could materially improve their situation was to use the machinery of the State and create public utilities to compete with the private monopolists who were draining the State of its sustenance. Every step has been taken only after due deliberation and discussion. Every step has been taken in a legal, orderly, constructive way. There has been no revolution in North Dakota. Instead there has been peaceful evolution in conformity with the forms guaranteed by our Constitution and truest American tradition. North Dakota has proved the very valuable lesson that it is possible to right economic wrongs peaceably through existing political machinery and without resort to violence which has for its end overthrow of the State or industrial paralysis. The people of North Dakota are carrying out a great experiment in industrial democracy, and if they succeed in the work which they have thus far carried on so successfully in the face of many daunting difficulties, their example is certain to be followed by the sovereign people of other American commonwealths who are groaning under the oppression of the same industrial despots.

I fear Mr. Taft has been influenced by the propaganda referred to by Judge G. W. Anderson of the Federal circuit court in Boston, who had charge of the prosecution of German propagandists during the war and who said recently—that 99 per cent of all the German plots we read about during the war did not exist; and that likewise 99 per cent of the teachings of violence which we hear about to-day are purely imaginative. Both, he said, have been manufactured by the same group of people in alliance with the public press for the purpose of introducing a rule of fear in their own interests.

I quote also the public statement of John H. Dietrich, minister of the First Unitarian Society of Minneapolis, who has had an opportunity to study at first hand the Nonpartisan League movement and who says:

The best illustration of the political possibilities in this country is found in what has happened in our neighboring State of North Dakota. Here is a State which has been captured by a recently organized political party for the specific purpose of changing the Government along the most drastic lines of social reform. In the beginning everything was against them. The legislature, the governor, the courts, bore the usual relation to the business interests. The newspapers were opposed to the movement. Rights of speech and assembly were denied with unexampled rigor. But in six years time, with an unrivaled sense of solidarity, the farmers swept everything before them. They won the governorship, took over control of the legislature, captured the courts, and rewrote the constitution of the State, and to-day North Dakota belongs to the Nonpartisan League. Regardless of what you may think of the platform of the Nonpartisan League, you must admit that its accomplishment testifies that there is nothing that can not be done once the people really make up their minds to do it. What has been done in North Dakota can be done in Minnesota, in Illinois, or in Pennsylvania, or in the Nation at large. If there is anything that can not be achieved, it is because the people do not understand it and therefore need education, or because they do not know how to get it and therefore need organization.

Yesterday we extolled the farmer as the very backbone of the Nation, the Gibraltar against which the waves of discontent and radicalism might dash without harm to our democracy or the undermining of our national welfare.

To-day the same farmer in some sections is looked upon as a bolshevik, a socialist, undermining and destroying our very national existence. There is no question but what there is great discontent among the farmers, for prices of all farm products have dropped out of all proportion to the cost of other products or to the cost of production, and the farmer is on the verge of bankruptcy.

Why this sudden change of front? Has the farmer overnight been transformed from the sturdy individualistic yeoman of our land to a dangerous citizen, organized to overthrow the Government and destroy American liberty, which he has for 200

years helped to build up and which he has fought to make safe; or what is the trouble?

No; the farmer stands where he has always stood, a lover of freedom, a man who believes and practices what he preaches.

Not less than 70 per cent of the Nonpartisan League membership in the 13 Western and Northwestern States, where they are most fully organized, are Republicans. They are organized without regard to party lines for the purpose of trying in an orderly fashion at the polls and in the legislature to throw off the oppressive yoke that has been put upon them by a system devised by a privileged few, and through wrong or antiquated legislative enactments they are afforded legal protection.

I say, therefore, if these great bodies of farmers of this Central West, as well as elsewhere in the country, whom I have the high honor to represent, are to be read out of the Republican Party by a few spokesmen or self-selected leaders, I prefer to stand on honest conviction and right principle with the farmers than to be aligned with either existing party, that can not or will not sympathize with them and is not willing to try to understand and alleviate their wrongs.

It is my candid belief, however, that Mr. Taft, unsympathetic as he is with real agricultural problems and the farmers' needs, does not represent the opinion of my associates in Congress who have manifested a keen sympathy for the farmer and a desire to grant reasonable relief needed to again restore American agriculture to its former prestige. I do not feel, therefore, that farmers need fear that their interests will not be looked after, not as in the past through honeyed words, soon to be forgotten, but in constructive legislation providing for cooperative marketing through the principle of collective buying and selling, in tariff legislation necessary to protect the farmer and his products, to extend the benefits of the Federal land bank and rural credits more fully to meet the needs of the farmer and the money to be furnished at no higher rate of interest than is now required for money furnished bankers in order that the farmer may market his products in an orderly fashion, to have legislation enacted which would encourage land ownership in place of the rapidly increasing tenancy, and the honest adjustment of taxes, which means, in their judgment, the defeat of the sales tax now proposed and which they believe would shift the burden of taxation from the shoulders of those best able to bear the same onto the common people, largely the farmers and the wage earners.

Again, I repeat, the farmers ask for no special class legislation, but rather for legislation which shall insure justice to all and special privilege to none.

RESTRICTION OF IMMIGRATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4075) to limit the immigration of aliens into the United States.

Mr. HARRIS. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 9, line 3, it is proposed to amend by striking out "three" and inserting "one," so that it will read:

SEC. 2 (a). That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 1 per cent of the number of foreign-born persons of such nationality resident in the United States—

And so forth.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. JONES of Washington. Mr. President, I offer the amendment which I send to the desk. I desire to have it come in before section 4 of the committee amendment, so that what follows shall apply to this in case it is adopted. It will then involve a renumbering of the subsequent sections of the committee amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to insert in the bill a new section, to be known as section 4, and to read as follows:

SEC. 4. That no person shall be admitted to the United States under the foregoing provisions of this act unless brought here in a vessel of the United States: *Provided*, That this restriction shall not apply to citizens of contiguous countries coming overland.

Mr. JONES of Washington. Mr. President, I shall take just a moment. I am not going to discuss this matter at any length at all.

Personally I am in favor of preventing any immigration to this country, at least for a period of years. I believe that we

ought to stop immigration until we get those who are here fully and thoroughly assimilated. I should like to see the citizenship of this country thoroughly American, making the interests of the United States, the welfare of the United States, and the peace and stability of the United States their supreme aim and object.

I sometimes think there are many of our citizens who are really giving their highest allegiance to some other country, some other Government than our own. I sometimes think there are those in this country who are in fact American citizens who make the welfare of other peoples and other countries supreme over the welfare of our people and of our country. I do not believe that this condition of things will pass away until those who are here are fully imbued with their obligations and duties toward this country, and are filled with the thought that every act of theirs should be primarily for the supreme interest of the United States.

I have not any doubt but that in the last election there were thousands and possibly millions of the voters of the country who were moved to vote a certain way simply because some one had not done as they thought he ought to do toward peoples and countries outside of our people and our country. That may have redounded to the advantage of the party to which I belong, but, Mr. President, it is a sad and an unfortunate state of our citizenship that such a course should be taken.

I remember, when the peace treaty was being discussed on the floor of the Senate, receiving a telegram from an organization in my State referring to a certain action taken by the Executive, stating that because of that action there would be 5,000 votes of a certain nationality cast against the Democratic ticket at election time. Mr. President, such a condition as that can not promote the welfare, the happiness, and the stability of this country. We are not to-day a Nation of people devoted to one flag, one ideal, and to the principles of this country, but those who have come here from different countries, and who are of different nationalities, have not reached the point yet where they are making this country and its interests their supreme object. As I said awhile ago, I believe we ought to stop immigration to this country until those who are here are fully and thoroughly assimilated.

So, Mr. President, I shall vote for this measure not because it goes as far as I would like but because it goes further than the present law, and I shall vote for every proposition which comes more nearly to what I would like to see done.

I know that the members of the committee are just as patriotic and just as sincere in their desire to do the proper thing for this country as I am. I am simply expressing my own idea and my own view as to what I think would be the wisest course to take. I think they have done well in bringing out a measure that is as restrictive as the measure which they have presented to the Senate. I think I appreciate the difficulty that has confronted them, and, without going into the argument with reference to the different propositions which might be considered with regard to this great question, and various objections which might be made to the position I take, I simply content myself by expressing my views as to what should be done and my purpose to vote on every occasion, when I have an opportunity, in favor of restricting immigration to this country until we get a condition here that I think is really for the best interests of the country.

Mr. WATSON of Georgia. Mr. President, before the Senator takes his seat I would like to ask him if he will support a proposition to close the doors of immigration entirely for, say, a period of five years?

Mr. JONES of Washington. I will.

Mr. WATSON of Georgia. Then I will propose it, as a member of the Committee on Immigration, and we will see just how many Senators will vote for it.

Mr. JONES of Washington. I will. I am inclined to think it will take more than five years to assimilate those who are here, so I will vote even for a longer time.

I wish to give just one illustration, Mr. President. I went through the immigration station at Ellis Island some time ago. I went into the room where they were examining the immigrants and where they were hearing the testimony in support of their admission to this country. They had up one case, and a witness appeared in behalf of the person desiring to come in here. An interpreter had to be used to get his testimony. Upon inquiry I found that that witness had been in this country for 17 years and could not speak or understand the English language. Mr. President, I think that illustrates just what we need to do in this country. We need to Americanize in the fullest sense of the term millions who have come here.

Mr. President, when I say I am in favor of keeping them out until that is done I am not reflecting upon those people at all.

I am simply expressing what I believe is for the best interests of our country. It is a matter of national defense with me, and I put the interest of the country and its defense above everything else.

Mr. President, I have offered an amendment which would be a little bit further restrictive, I think. I want to require those who do come here to come in American ships. That brings up, of course, the question of the American merchant marine. That I am not going to discuss, except to say that I believe the time has come when, if we want an American merchant marine, we must do everything and take advantage of every opportunity that will tend to build it up and encourage its development.

Our competitors are going to keep us off the seas if they can do it. They are going to use every possible means to accomplish that end, and I think we will be derelict in our duty toward the national welfare if we neglect any opportunity which presents itself to us of which we could take advantage to help build up and maintain an American merchant marine. If we required every immigrant who comes to this country to come in an American ship, we would go a long way toward establishing upon a permanent basis some shipping lines, especially passenger-carrying lines, across the Atlantic.

Mr. KING. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES of Washington. I yield.

Mr. KING. I would like to ask the Senator, who is chairman of the Committee on Commerce, and perhaps more familiar with our merchant marine than most of us, whether we have sufficient boats running to all the ports in the world from which immigrants will come to care for those who might desire to come to the United States? We have boats, I know, which go to some European ports, some Asiatic ports, and some South American ports; but my understanding is that there are many points to which our passenger boats do not go, and the Senator knows that our freight boats will touch more ports than our passenger boats will touch. I am inclined to think that if his amendment were to be adopted it would inhibit some people coming to the United States who would be entitled even under the restrictions of this bill to come to our shores.

Mr. JONES of Washington. Mr. President, of course that might be true; nevertheless that would be very satisfactory to me. We have enough ships, I think, but we probably have not the lines established to touch at the various ports from which persons would like to come. That would not prevent those who do desire to come here, and who are in condition to come, from going to the points from which our ships would sail.

Mr. NELSON. Mr. President, if the Senator's amendment, totally excluding all immigration to this country, were adopted, how would it help American shipping?

Mr. JONES of Washington. I have not offered an amendment of that kind. I simply expressed the view that I would like to see that done. But I have offered my amendment to comply with the terms of the bill as presented by the committee which would allow three or four hundred thousand people to come here; and if they do come, I think they should come in American ships.

Mr. KING. Mr. President, the Senator knows that we are making very strenuous efforts now to secure foreign export trade. We have hundreds, and possibly thousands, of representatives of our business houses in various parts of the world. If our foreign trade expands, as I hope it will, we will send more and more of our young men to the various parts of the world for the purpose of developing our foreign trade. Does not the Senator think that if we adopt the amendment which he has just tendered it may promote legitimate retaliation by other nations, and that they will prohibit American business men and other Americans from coming to their shores except in their own bottoms? So that we would lose more than we would gain. Under the bill now before us, there will not come into the United States in excess of about 300,000 or 350,000 in any one year. We are sending abroad every year more than 300,000 or 350,000 persons—tourists and business men—and the number, if times improve, will greatly increase. If the Senator's amendment is adopted, I think he may be working in the interest of foreign shipowners rather than in the interest of our merchant marine.

Mr. JONES of Washington. Mr. President, I have not any fears of that kind at all. Of course, I do not know that my friend intends to present it as an objection, but it seems as if we can hardly present any proposition looking toward the building up of the American merchant marine but that some one is afraid that some other country will retaliate.

Mr. President, other countries are discriminating against us all the time. They are using measures and means to build up

their trade, regardless, apparently, of what they expect from us. I expect to take this matter up some of these days. But I did not intend to take any time in discussing it to-day. I am just going to refer to one little incident brought to my attention the other day—an arrangement being made between Jamaica and Canada under which no imports can be taken into Jamaica except in Canadian ships. Are they afraid of our retaliation? I suppose not. We will not retaliate. We will just turn the other cheek whenever they strike us a blow.

The time has come, Mr. President, when this country, not as retaliation, but simply to meet discriminations that are being made against us, should seek not only passenger traffic but freight, and we should do what is necessary to get it.

Another incident was brought to my attention the other day. I do not know exactly how true it is, yet it came from a very responsible man. I have referred the matter to the Shipping Board to investigate. A gentleman from Los Angeles wrote me that the newspapers on the Pacific coast are making their contracts for the purchase of print paper to begin the 1st of July; that they have received bids from a company that has its print mills in this country and in Canada; and that upon bids for the carrying of the print paper coming from the mills in Canada the Canadians have made a proposal to underbid any offer made by Americans for the transportation of those products by 5 cents a hundred, and therefore the contracts are being made with them. I would like to know, if that is the case, why those in charge of American shipping do not say to these people, "We will underbid any bid made by Canada and carry this print paper in American ships"? They do not hesitate to do it. Why should we not use the same methods to get cargoes for our ships which I have heard of other countries doing?

Over in Cuba American and British ships were lying waiting for cargoes. Apparently, according to a certain agreement with reference to rates, our ships bid a certain amount for the transportation of a cargo. The British ships underbid, loaded up with sugar, and came to this country; our ships lying there idle, or else coming home in ballast. We can not build up our American shipping, we can not build up American trade, in that way.

Mr. President, I did not intend to discuss these matters. I have not any hope, really, of the adoption of the amendment I have offered. I am satisfied that the committee amendment will be adopted without amendment. But I did want to use this as a vehicle, at any rate, to call attention to the situation which confronts us. The question is, Are we going to have an American merchant marine? If we are, we will have to do the thing that is necessary to build it up and to maintain it.

Mr. OVERMAN. Mr. President—

Mr. JONES of Washington. I yield to the Senator from North Carolina.

Mr. OVERMAN. Does not the evidence show, and has it not shown all along, that the foreign ship companies have their agents in foreign lands that induce immigrants to come here and stay, and that they have been encouraged by their Governments over there to locate here for a few years in order to send their money back to those countries? I think you will find that to be the case.

Mr. JONES of Washington. I have that impression, but I do not say that it is true. I think the Senator from Vermont [Mr. DILLINGHAM] could probably answer that question much better than I, because I know there is no one in this body who has gone into the subject as he has.

Mr. OVERMAN. I think the Senator from Vermont knows that to be a fact.

Mr. DILLINGHAM. Mr. President, if I may be permitted to make a remark on the subject, that matter was very thoroughly investigated in 1907 at the time the immigration commission did its three years' work. At that time the country's cry was that the steamship companies were dumping European emigrants into this country, that they had their agents everywhere in Europe, and were the inducing cause for their coming. At that time we made a very careful investigation of the question, and while we found the steamship companies were very glad to have the patronage of the immigrants, we found also that over 90 per cent of those immigrants came here because of correspondence had with their brothers, their cousins, or their former neighbors now in this country who had written them what the rates of wages were in the United States, had written them that work was plenty, and that if they came here they would be sure of employment and at the wages indicated in their letters. We found as a result of such correspondence that substantially 80 per cent of those landing in this country had, at the time of such landing, railroad tickets from New York to the place of their destination that had been sent to them previous to their leaving home.

The steamship companies, I think, were anxious to secure passengers, but we did not find that the immigration was induced by them, but was induced by friends of the arriving immigrants already in this country.

Mr. OVERMAN. My recollection is, and the Senator can state whether it is correct, that in reading the testimony at that time it was shown they had their own agents all over the countries of Europe.

Mr. DILLINGHAM. The steamship companies had booking agents; there is no question about that.

Going a step further and showing how thoroughly the immigration to this country was guarded—that is, in respect to their physical condition—let me call attention to this fact: There was a period of 13 months from December 31, 1907, when the immigration to this country was very large and when there were more rejections in Europe, three times over, than there were in the ports of the United States; that is to say, when the immigrants reached the United States. We have placed upon our statute books a law which holds the steamship companies absolutely responsible for the physical condition of every person brought over by them; in other words, we require the steamship companies at the port of embarkation to make a physical examination of every proposed immigrant, and if they bring an immigrant to this country—and this is the law at the present time—who has any disease that might have been discovered by a competent medical examination at the port of embarkation they are compelled to take that immigrant back to the country from which he came free of expense. That has had a marvelous effect upon the character of our immigration.

Now, what has been the effect? So many were rejected at the port of embarkation at Bremen and other great ports in Germany that the German Government became alarmed; the people from Russia and countries north and west of Germany who entered that country to take the German vessels and who were rejected at the ports of embarkation became a burden to those cities. The German Government therefore compelled the steamship companies to establish control stations at different places on the borders of Germany at such companies' sole expense. During 13 months 27,799 immigrants were rejected at the German border. They never even reached the ports of embarkation. At the ports of embarkation there were 11,882 rejected by the steamship companies, making a total of 39,681 rejected in Germany, while during the same 13 months there were only 13,064 rejected at the American ports. In other words, by this legislation alone through medical examination at foreign ports nearly 40,000 intended immigrants were rejected in a single year, while we rejected only 13,000 at our own ports.

Mr. McCUMBER. How many were we admitting into the country during that time?

Mr. DILLINGHAM. We were bringing in at that time, as I remember, 700,000 or 800,000 annually.

Mr. OVERMAN. Was there not some proof about the Government of Austria being engaged in encouraging emigration to this country?

Mr. DILLINGHAM. Only in respect to Hungary, and that was proved to be a mistake.

Mr. OVERMAN. I remember that evidence was brought out to the effect that they were doing that.

Mr. DILLINGHAM. When the commission was in Europe I was assigned to Italy, Austria, Hungary, and Russia. I went to Budapest and had a long consultation with the minister of emigration there, and I found that Hungary had awakened to the idea of her own development, after seeing what Germany had done, and had inaugurated a policy of keeping her men at home, because they needed them in the development of their own Kingdom.

Mr. JONES of Washington. We all know the wonderful strides made by Germany before the war broke out in the building up of her merchant marine. It was growing by leaps and bounds, and even threatened the supremacy of Great Britain upon the seas. I was reliably informed the other day that one of the measures that Germany took toward the building up of its merchant marine was to require that everyone leaving Germany, as an emigrant to the United States must go in a German ship. It was a wise policy from the standpoint of building up the German merchant marine. It would be a wise policy for this country to follow something along the line suggested by the pending amendment.

Mr. President, I was thrilled by the statement of the President in his message to Congress that the American people propose to have an American merchant marine, but we will not get it and we will not have it unless we do what is necessary to get it and to maintain it. I have not made any statement with

a view to controverting the positions of other Senators or anything of that sort. I merely desired to state my position. I am in favor of this policy from two standpoints, because I am in favor, as I said, of cutting off, at least for a time, all immigration to this country. Those who are opposed to that policy, of course, will vote against the amendment. Then, I am in favor of the amendment because it would tend to limit those who come, and I am also for it because I think it would go a long way toward helping to build up the passenger lines and merchant marine of this country.

Mr. COLT. Mr. President, one purpose of the amendment proposed by the Senator from Washington is further to restrict the immigration called for under the bill, but the Senator goes further and says that he is in favor of a complete suspension of immigration. He bases that proposition upon the ground of the Americanization of the aliens who are already in the United States.

I should like to ask the Senator if he believes that with the 30,000,000 aliens or descendants of aliens in this country he will tend to Americanize that body by barring any of the nationals belonging to those countries from coming into the United States? Nationalization, Americanization, is based upon affinity, upon attachment, upon something akin to the family tie. It is not based upon any obstructive legislation. Just think of the effect upon the state of mind of the millions of aliens in this country if the American Republic should for the first time in its history bar every national from its gates. I maintain that it would have a most disastrous effect.

Further than that, we are trying to increase our trade with foreign countries. We are going to send our agents abroad to build up that trade. What kind of a reception will they meet in European countries when they learn that the United States of America forbids every national from entering our gates for five years? Is that an American policy? Have we come to that extreme view of isolation? Is that the position that the United States of America, with 30,000,000 of aliens here, is going to occupy toward all the great family of nations? I do not believe that those who say they would totally suspend immigration for five years have reflected upon it from the broader standpoint.

I do not know what effect it might have upon treaties, I do not know what effect it might have upon foreign Governments in their attitude toward the United States, but I do believe from the bottom of my heart that it is a narrow, impolitic policy unworthy of this great Republic.

The proposed amendment to the pending bill, of course, would tend to further restriction. Let me say here that it is the purpose of the committee to frame permanent legislation along the lines of selection at the source and of distribution after arrival and along the line of restriction. The pending bill is only a temporary measure providing for an emergency based upon a proposition which, to my mind, is much exaggerated, as shown by statistics, that owing to war conditions abroad there is a flood of immigrants who are seeking to come to this country. The committee tried to take a reasonable view. There were those who wanted 5 per cent or even more. There were those who were in favor of the principle of suspension. However, we finally agreed as a matter of compromise to make it 3 per cent. On the basis of 3 per cent the total arrivals will be 355,261.

There is another feature of immigration that no one seems to take into account, and that feature is the number of departures. Ever since we have had a record of departures, 35 aliens have departed to every 100 who have arrived. So far as the immigration from southern and eastern Europe is concerned, in the year ending June 30, 1920, 122 went home to every 100 who came in.

Mr. KING. Mr. President, will the Senator permit an interruption?

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Utah?

Mr. COLT. In just one moment. If we should deduct the ordinary rate of departures under the 3 per cent plan, we will have net for the year ending June 30, 1922, only 231,050. Then, as shown by the Senator from Vermont [Mr. DILLINGHAM] in his report, of that 231,050 a greater proportion would come from northern and western Europe than from southern and eastern Europe. Those from northern Europe we call rather the better class of permanent immigrants. So this bill is simply an intermediate step or compromise between total suspension of immigration and a policy of admitting the number who would normally arrive during the current year.

To those who are so fearful of immigration I should like to state the number that have arrived during the present year. I shall not read the odd figures. The number of arrivals dur-

ing July was 62,000; August, 67,000; September, 76,000; October, 82,000; November, 87,000; December, 59,000; January, 55,000; February, 52,000; and March, 45,000. The figures show that immigration now month by month is falling off. That is probably due to economic conditions in this country, for economic conditions are a barometer. When economic conditions are bad immigration automatically falls off, to a large extent. If we take the total departures for those nine months, amounting to 176,000, we have a net total of 382,208 during the nine months. If immigration should continue in the same proportion, not counting any decrease for the next three months—and I am quite certain there will be no increase, for there has not been any increase during the last three or four months, but there has been a gradual decrease—we would have coming in under the present law for the year ending 1921—and since last summer transportation facilities are said to have been normal—a total of only 509,611 immigrants during the year. This bill would cut that down to 355,461, or, with the departures, to a net of 231,050.

Now, looking at the question from a broad standpoint—

Mr. CALDER. Mr. President, will the Senator from Rhode Island yield to me?

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from New York?

Mr. COLT. Certainly.

Mr. CALDER. Do I understand from the Senator's last remark that the limit of those who could come here in any one year under the pending bill would be something like 355,000?

Mr. COLT. Exactly.

Mr. CALDER. It would not be likely, however, that that many would come, because in immigration from many nationalities, such as the British Islands, and Germany, perhaps, and the Scandinavian countries, there has been a great falling off. So we should hardly reach, under any circumstances, the percentage allowed from those countries, would we, I ask the Senator?

Mr. COLT. We should probably not.

Mr. CALDER. But we would do so as to immigration from the other countries, from southern and eastern Europe. So in all probability the pending bill will reduce our immigration to something like one-half of what the Senator's maximum figures show?

Mr. COLT. It would.

Mr. DILLINGHAM. Mr. President, may I be allowed to interrupt?

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Vermont?

Mr. COLT. I yield.

Mr. DILLINGHAM. In answer to the inquiry of the Senator from New York [Mr. CALDER], I desire to say that northern and western Europe, made up of Belgium, Denmark, France, Germany, the Netherlands, Norway, Sweden, Switzerland, and the United Kingdom, would be entitled to bring in between 19,000 and 20,000 more immigrants than are actually coming. The average during the three years just previous to the war from those nations was, in round numbers, 182,000. Under the pending bill those countries could bring in 202,000—between nineteen and twenty thousand more—but probably will not do so, as the Senator from New York suggests. However, on the other hand, from eastern and southern Europe, consisting of Austria-Hungary, Bulgaria, Serbia, Montenegro, Greece, Italy, Portugal, Rumania, Russia, Spain, Turkey in Europe, and Turkey in Asia, there were coming in previous to the war, upon an average, 738,612 immigrants. Under the pending bill we could only admit from those countries 153,249; in other words, we absolutely cut out from that immigration 585,000 immigrants annually.

Mr. CALDER. About four-fifths of the immigration that has been coming in?

Mr. DILLINGHAM. Yes; about four-fifths of it.

Mr. COLT. That is, of the average in the past?

Mr. DILLINGHAM. Yes.

Mr. COLT. I may add that the Committee on Immigration would not adopt any amendment to the House bill which in any way increased the number of immigrants. Although that does not accord with my views, I for one felt that there was a very strong undercurrent in favor of a practical suspension of immigration, and therefore I yielded my views. So we reported the bill just as it was passed by the Senate at the last session.

Mr. WATSON of Georgia. Mr. President, will the Senator from Rhode Island allow me to ask him a question?

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Georgia?

Mr. COLT. Certainly.

Mr. WATSON of Georgia. In the case of a country where immigrants to the number of 6 per cent of their nationality desire to come in and we only admit 3 per cent, what is the line of reasoning that cuts out 3 per cent and lets in the other 3 per cent? Is there not discrimination there not based upon any real reason or fact?

Mr. COLT. No; I should say there was no more involved than in the issuing of visas. We could simply tell them, "You will have to wait until the next year; you can not come in during this year."

Mr. WATSON of Georgia. Then the same question would confront us next year.

Mr. COLT. When we come to that bridge we will cross it; we are in deep enough water now.

Mr. WATSON of Georgia. Are we not at that bridge now?

Mr. COLT. I can not answer the Senator, except to say that if there were 6 per cent who wanted to come, and 3 per cent only could come, those who first made the application could come in and the remainder could not during the calendar year.

Mr. WATSON of Georgia. Might it not happen, may I ask the Senator from Rhode Island, that the very one-third that we allowed to come would be the least desirable and the one-third we excluded would be the most desirable?

Mr. COLT. The Senator uses the expressions "desirable" and "undesirable," but the present immigration law, if enforced, excludes every undesirable immigrant.

Mr. WATSON of Georgia. How?

Mr. COLT. And the criticism in connection with the use of the terms "desirable" and "undesirable" is derived from the fact that the present immigration law is not strictly enforced. Under the present law there is a physical test; an alien can not come in unless he is physically sound. Then there is a mental test; there is an educational test; there is an anarchistic test, if it may be so called. There are various tests which if applied, generally speaking, would only admit those whom we call desirable as distinguished from those who are undesirable, although it might be said that after those tests were all applied, there might be some who, by reason of their habits, customs, and so forth, we would prefer to keep out, but the very purpose of the present immigration law was to exclude the undesirables. However, when it comes to the question of specific classes or races which it is desired to exclude we open up the broad question of exclusion on account of race.

Mr. WATSON of Georgia. As I understand the Senator, he admits that the law has not effected its purpose?

Mr. COLT. Yes; it has not been fully enforced.

Mr. WATSON of Georgia. Then, will it not be further from effecting its purpose when we provide this arbitrary limit of 3 per cent?

Mr. COLT. I can not quite agree with the Senator.

Mr. WATSON of Georgia. Then, we ought not to have it.

Mr. COLT. Mr. President, if we are going to say that immigrants must embark on American ships, why not encourage American shipping further and say that emigrants who depart must embark on American ships? If we are going into that kind of business with foreign nations and foreign trade, why do we not say that all our imports and all our exports must be in American bottoms? Ah, there is a principle of retaliation and a principle of fair dealing in all these matters.

Mr. President, we are opposed to any amendment which further restricts the small number of immigrants who will be allowed to enter under the provisions of the pending committee amendment, and we are opposed to any amendment which enlarges the number. We rest upon the old bill, which was passed by the Senate with only two votes against it.

Mr. TRAMMELL. Mr. President, I desire to offer an amendment.

The PRESIDING OFFICER (Mr. STERLING in the chair). The Chair will inform the Senator that there is an amendment pending. The question is on the amendment of the Senator from Washington [Mr. JONES].

Mr. WILLIS. I ask that the amendment be stated.

Mr. COLT. I rise to a parliamentary inquiry. I should like to ask what amendment is pending?

The PRESIDING OFFICER. The Secretary will state the pending amendment.

The READING CLERK. On page 13, after line 3, it is proposed to insert a new section to be numbered section 4 and reading as follows:

That no person shall be admitted to the United States under the foregoing provisions of this act unless brought here in a vessel of the United States: *Provided*, That this restriction shall not apply to the citizens of contiguous countries coming overland.

Mr. KENYON. Mr. President, I was not in the Chamber when the Senator from Washington presented his amendment, and I did not have the opportunity of hearing him. I hope that the amendment proposed by him will be adopted.

We have lines of American boats crossing the great ocean and struggling for a livelihood especially against the British lines. A person traveling the ocean now can travel under the American flag, and it is a splendid sensation; but American mail is transported to a considerable extent in British boats. Some of it is carried on American boats, but, as I understand, there is no kind of British mail transported in American boats. Our late ambassador to England, when he came from Great Britain—and I am not criticizing him particularly—traveled on a British boat, and our new ambassador to Great Britain, I see, has also selected his quarters on a British boat. How discouraging to any American line trying to build up its trade and commerce. What an advertisement for the British line.

I had the pleasure of crossing the ocean a short time ago on one of the American boats of the United States Mail Steamship Co. There are no accommodations in any British boat that can compare with them. Sailing under the American flag has its attractions also—there were 40 passengers on this boat going over and 60 passengers coming back, while British boats sailing at the same time were overcrowded with American passengers. I do not know how we are going to build up a merchant marine for the United States if the American people are not willing to travel on American boats. They ought to do so even at some sacrifice, but there is no sacrifice involved. It is a great sight nowadays to see the American flag coming down the Thames on freighters and other vessels, but there is a lamentable failure of the American people to patronize American boats. American patronage has made British lines rich.

Mr. KING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. KENYON. I do.

Mr. KING. Does not the limited number of American passengers traveling upon American boats and the great number traveling upon British boats result from the fact that while we have prohibitory statutes in the United States, they have not quite extinguished the desire upon the part of some Americans to imbibe a little wine occasionally?

Mr. KENYON. Mr. President, I know that that is a fiction. Perhaps I ought not to say it, being such an earnest prohibitionist myself, but the American boats are wet enough to suit the most fastidious "wet" that ever came from the State of Utah. [Laughter.] That is no longer a legitimate argument. However, I have heard it advanced.

Now, as to these immigrants, what can be the argument against bringing them in on American boats, and helping these struggling American lines to establish a merchant marine? I have not heard any argument against it. I suppose there may be some, but this would be a good start in the right direction to help build up the American lines which now are struggling against all kinds of odds in trying to create ocean traffic.

Mr. KING. May I suggest to the Senator, in view of the fact that he was not in the Chamber when I made a similar suggestion to the Senator from Washington, if we enact legislation of the character contemplated by this amendment might we not bring upon American travelers embarrassments, and bring about retaliatory legislation which in the long run would more seriously affect the United States and its merchant marine than if we permit men to come to the United States in other bottoms?

For instance, as I suggested, there are thousands of Americans traveling now, perhaps more from America than from any other country in the world. Undoubtedly as soon as there is a renaissance in business—and we will have a renaissance in business if the Republicans do not put up tariff rates so as to prohibit us from trading with the world—there will be more Americans traveling throughout the world than there are to-day. We are sending abroad every year more people than are coming to the United States. They are going largely for business. I have no doubt that from the United States there will depart during the coming year more than 500,000 individuals for pleasure and for business. There will be coming into the United States perhaps less than three or four hundred thousand. If we prohibit those coming in from coming in boats other than American boats, may not those other nations prohibit Americans from going to other lands except in boats under other flags?

Mr. KENYON. There may be something to that, but I am satisfied that the American lines will have to fight for whatever they get. They have had a difficult time getting into the asso-

ciations in Great Britain that enable them to have joint agents with other companies. They have had to struggle along with their own single agents. Every kind of embarrassment has surrounded them. What I am pleading for is that if we are going to have an American merchant marine, the American people ought to ship in American bottoms, the American people ought to ride in American boats under the American flag, and every pound of American mail ought to be sent in American boats to help sustain these lines. Otherwise we never can get anywhere in any program involving a merchant marine. "Sail and ship under the American flag" ought to be our slogan.

Mr. POMERENE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. KENYON. I am through.

Mr. POMERENE. I just want to ask a question. I ask it because I do not know, and I want the information.

If this amendment should be adopted, would it lead to any embarrassment because of the favored-nation clauses in the various treaties we have with other countries?

Mr. KENYON. I do not see how. It would apply equally to all countries.

Mr. POMERENE. I do not know whether it would or not. I am asking for information. I should like to have the Senator from Washington answer the question, if he will.

Mr. JONES of Washington. I did not understand the Senator.

Mr. POMERENE. I asked this question: If the Senator's amendment should be adopted, would it likely lead to any embarrassment with other nations due to the favored-nation clauses in our several treaties?

Mr. JONES of Washington. I can not see how it could. It would apply to every country alike. I do not think anybody would question our authority to prohibit all immigration to this country as far as the actual legal power to do it is concerned. If we can limit it to 3 per cent, we can limit it to 1 per cent. If we can limit it to 1 per cent, we can entirely prohibit it.

Mr. NELSON. Mr. President, will the Senator yield? In view of the facts stated by the Senator from Iowa [Mr. KENYON] a while ago, why should we not enact legislation prohibiting Americans from traveling in other ships than American vessels? Would not that solve the problem?

Mr. JONES of Washington. Of course, that is entirely different from this. I should like to see them required to go on American ships. I hate to think that the ambassador of this country, going to Great Britain now when we are trying to build up an American merchant marine, is engaging his quarters on a British ship.

Mr. KENYON. Does the Senator think a law ought to be required to get Americans to travel in American boats when they are as good as any other boats?

Mr. JONES of Washington. No; it ought not, but I think that is entirely foreign to the question that is presented here. I do not think there would be any trouble about the treaty proposition with this amendment, because it applies to all alike.

Mr. LENROOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Wisconsin?

Mr. JONES of Washington. The Senator from Ohio [Mr. POMERENE] has the floor.

Mr. POMERENE. It has been contended that if we were to make a difference in freight rates in favor of American vessels, that might be regarded as a violation of the favored-nation clause. Is that contention sound?

Mr. JONES of Washington. It probably is now, because of our treaty.

Mr. POMERENE. Very well. Now, if that be so, then when we insist that immigrants who come here must travel on our vessels, is not that also, by analogy at least, a violation of the favored-nation clause?

Mr. JONES of Washington. I think not.

Mr. POMERENE. I do not know. I am simply asking for information.

Mr. JONES of Washington. I think not. The idea as I have it is this: We are here restricting immigration, and we are making the restriction apply to all countries alike. Now then, we simply say that a certain number of immigrants can come in here, but that they can not come in unless they come in American ships. As the Senator from Rhode Island [Mr. COLLIER] said, that is a further restriction.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. POMERENE. I yield the floor.

Mr. LENROOT. We now have a differential in our tariff law allowing a lower tariff upon goods shipped in American bottoms. Did not the administration take the position that

they could not enforce this provision of the tariff law because it would violate our treaties; and what is the difference between admitting goods at a lower tariff and providing that immigrants shall come only in American ships?

Mr. JONES of Washington. Because we have specific treaties limiting our right to do that very specific thing.

Mr. LENROOT. Only in general language.

Mr. JONES of Washington. It is general language, "commerce," but these are treaties with various countries; and in the act to which the Senator refers it is specifically provided that that shall not apply to any country with which we have a treaty, and the Supreme Court held that we had treaties with so many different countries that it was practically inoperative.

Mr. LENROOT. Mr. President, I do not think this amendment should be adopted, for two reasons.

If the purpose of the amendment be further to restrict immigration, it is about as unscientific a method of restricting immigration as anyone could possibly think of. Its restriction will be dependent wholly upon whether or not there is an American line of steamships to a given country. If there is not, it is an absolute prohibition of immigration from that country. Now, when we are trying to be more scientific in admitting immigrants, and to base our action at least upon some reasons, do we want to make it dependent upon the circumstance of whether or not there be an American line of steamships to a given country? That would apply as a very effectual prohibition in the case of practically all of the northern countries of Europe. I think it would apply to all of the Scandinavian countries. I do not believe there is a single American line to any Scandinavian country, and yet under this amendment there would be an absolute prohibition of immigration from those countries.

Upon the other point, as to violation of treaties, I can see no difference between a provision of law providing for a differential in the admission of goods and a similar provision relating to immigrants—not the slightest difference. The reason why that provision was put into the Underwood tariff law was because, after full investigation, it was believed that Congress had no power to make that differential so long as those treaties were in existence. Now, if this amendment should be adopted, even though we had a right to adopt it, it seems to me that it might well injure the American merchant marine more than it would help it, because the benefit to the merchant marine would be very small indeed; but it might lead to retaliation by Great Britain and other countries having a large merchant marine that they would be very glad to have the excuse to discriminate in their favor and against us.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. LENROOT. Yes.

Mr. NELSON. It is apparent from what the Senator from Iowa stated that the volume of our people going to Europe now is unusually large, and a large share of them are of the wealthier classes, who generally take first or second class passage. Is there any way in which we could advance the interests of our shipping better than by compelling these people to travel on American ships and keeping them away from foreign ships? Can the Senator conceive of any scheme by which we could ruin the foreigner and help our own shipping better than by excluding these American tourists, these rich fellows who go over there every summer, from foreign ships and compelling them to travel in American ships?

Mr. LENROOT. If we were going to apply this policy at all, applying it in that direction would be of some value in building up the American merchant marine; but applying it to immigrants, it seems to me, would be effectual only to a very small extent in building up the merchant marine, and might injure the merchant marine tenfold more in other directions. In any event, this is a matter of so much importance, if it is to be a part of a policy of building up the merchant marine, that it ought to be considered by the Committee on Commerce, and fully considered, and the Committee on Commerce ought to have all the information before it with reference to its effect upon treaties and otherwise before the Senate acts upon it by way of adoption.

Mr. McCUMBER. Mr. President, I should like to ask the Senator a question. In the face of the fact that we have these favored-nation treaties with other nations of the world and we want to continue our commercial relations with them, what does the Senator think of the merits of a provision in our law that their citizens can not come to the United States unless they come in American bottoms, but American citizens can go to their countries in any ships that they see fit?

Mr. LENROOT. Of course, the question answers itself; and, Mr. President, I think the chairman of the committee, the Senator from Washington, will admit that if this amendment does

violate our treaties he does not want the Senate to adopt the amendment or Congress to pass a bill containing it. Surely the United States does not desire to be put in the position of regarding its treaties as "scraps of paper."

Mr. JONES of Washington. If the Senator will yield just at that point, of course I agree with him as to that, but, as I stated a while ago, I do not believe the amendment violates a treaty. If I did, just like the Senator, I would not be in favor of doing it.

Mr. LENROOT. Does not the Senator think that that is a matter of such great importance that it ought to be carefully considered before action is had upon it?

Mr. JONES of Washington. Of course, Senators have their view about it. As far as I am concerned, I have not any doubt in the world but that these commercial treaties do not apply to travelers. They apply to trade, and the Senator's contention only emphasizes, to my mind, the position we take about the merchant marine act, under which we direct the President to take steps to abrogate these treaties, so that we can do what we think wise to do.

Mr. LENROOT. The Senator does not mean he thinks the carriage of men, women, and children is not commerce?

Mr. JONES of Washington. Certainly not, but this simply provides that men who come here shall come in American ships if they want to come as immigrants. It does not interfere with the ordinary traveler and prohibit travelers from coming unless the bill which the Senator from Vermont is sponsoring is intended to prevent travelers from coming. It is not intended to deal with travelers; it is intended to deal with immigrants, with persons who are coming here to make this country their home.

Mr. POMERENE. Will the Senator yield to me for a question?

Mr. JONES of Washington. Certainly.

Mr. POMERENE. I am not a member of the Commerce Committee, but I have understood that the committee has it in mind to present a bill which would give some preference to freight and cargoes which are brought here in American bottoms. May I ask if that is correct? Is that being considered?

Mr. JONES of Washington. I will state the situation: We can not do that until we get rid of the treaties we have now. That is, even if we deemed it of vital importance to do it and we were unanimously in favor of it, we could not do it without doing what the Senator from Wisconsin suggested a moment ago we would not think of doing—making of these treaties scraps of paper. We could do it, of course. Arbitrarily we could pass a law that would abrogate the treaties, but that is not the proper way of doing it.

We have done this: One provision of the merchant marine act directs the President of the United States to give the notice required for the abrogation of the treaties. The purpose of that is simply to get rid of these treaties, so that we shall be in a position to determine whether or not we ought to adopt this policy known as discriminating duties. We might not decide to do it, and there is not any bill pending before the committee looking to that end, because it would be useless, I think, to present it until we get rid of the treaties. Then, if it were presented after that we might, upon mature consideration, decide that it was not wise or proper to do it. So there is no such measure proposed.

Mr. POMERENE. Mr. President, it was my thought that the question of bringing over immigrants in American bottoms is so nearly akin to the other question that it seems to me it ought to be very carefully studied and a report presented to the Senate bearing upon that subject. It may clarify the legal and international difficulties very much.

Mr. NELSON. Mr. President, will the Senator from Ohio allow me to ask him a question?

Mr. POMERENE. Certainly.

Mr. NELSON. I have some difficulty with this proposition, and perhaps the Senator can solve it. On Saturday we passed a peace resolution, ostensibly for the purpose of opening trade with Europe. We want trade. Those people with whom we expect to trade have to pay with money or with credit for what they get here. They can not draw funds from the clouds as they draw nitrates.

Mr. POMERENE. I do not know of any way of doing it.

Mr. NELSON. I would like to know how those poor people of Europe could trade with us if we impose all kinds of restrictions? On one side you pass the peace resolution to open trade; on the other side you propose to pass an antidumping bill. How will our foreign trade come between all these rocks?

Mr. POMERENE. Mr. President, I share the difficulties which seem to be in the mind of the Senator from Minnesota,

and I have been watching very eagerly to see which one of these hot poker our Republican friends are going to take up first. I am very much interested in that. I should like to know, too, how we can shut off all trade and get these foreign nations to pay us the \$15,000,000,000 they owe us.

Mr. KING. Eighteen billion dollars.

Mr. POMERENE. My friend the Senator from Utah says it is \$18,000,000,000. It may be that that is correct. There are a good many questions of that kind which are constantly cropping out, which I am not able to solve. There are individual manufacturers who solve them for me every day. They insist that there shall be an antidumping clause as to their particular industry, but some of them do not care a rap as to what will be the effect on other industries.

Mr. DILLINGHAM. Mr. President, I feel sure the Senate will bear with me in suggesting that it is now almost 5 o'clock in the afternoon, and that this bill is before the Senate because the antidumping bill, or the emergency tariff bill, was laid aside as the unfinished business until to-morrow. Unless this bill is passed to-night, I do not know when it again will come before the Senate, nor how soon it can receive the consideration of the Senate.

It is an emergency bill. It has been said here, and it is true, every one interested in this question understands it, that during the coming year we must adopt permanent legislation which will be fitted to the new conditions, those that have arisen in Europe and those which have arisen in the United States as the result of the war.

This bill passed the Senate and the House of Representatives during the closing hours of the last Congress, and failed to become a law because of the failure of action on the part of the retiring President.

The House very graciously adopted the Senate method of handling the matter, and there was introduced into that body a copy of the bill as it passed both branches at the last session. But in the House four or five amendments to the bill were adopted, which increased the number of immigrants who may be admitted during the coming year under its provisions.

The Senate committee are opposed to those amendments, and in order to get quick action they deemed it best to report the Senate bill as a substitute for the House bill. The Senate bill which they have reported as a substitute is precisely the measure that passed this body at the last session with only two votes against it. If the Senate passes that bill, that will throw the matter into conference, and during this week, while the emergency tariff bill is under consideration, those questions can be thrashed out in conference and the bill brought back to the Senate for action.

I assume that every Senator is in favor of restrictive legislation. Some are satisfied with this bill; others would be glad to go further; others would be glad if the bill had been left on the basis of 5 per cent instead of providing 3 per cent.

But we all agreed in the last Congress that we would try it out on the 3 per cent basis. I am very much hoping that to-night the Senate will see fit to pass this measure just as it is, and let us go into conference on the House amendments. If we fail to do that, I do not know when we shall get it up again nor when we can make it a law, and because of conditions on the ocean and in foreign ports this minute it is very necessary that the bill should be disposed of at the earliest possible moment.

I hope we may have a vote upon the bill to-night. I hope that if there are amendments to be offered by different Senators, we may have them disposed of without delay and reach a final vote on the bill before adjournment.

Mr. KING. Mr. President, just one word. I want to express my approval of the statement made by the Senator from Vermont, and I want to say to my Democratic friends who are opposing this measure, or who want a stronger bill, that I sympathize with their views. I introduced a bill at the beginning of this session, and I introduced one at the last session, to exclude all immigration for a period of one year, so that we could investigate the subject very carefully and work out a proper and scientific bill. I could not have my way in the committee. I assented to this bill. It does not meet my desire, but I think it is the best measure we can obtain for the present, and I think we ought to speedily pass the bill.

Mr. DIAL. Mr. President, I would like to ask the Senator from Iowa [Mr. KENYON] what is the reason why we do not carry our mail on our own ships?

Mr. KENYON. I do not think I said we do not carry any of our mail.

Mr. DIAL. No; a good deal of it.

Mr. KENYON. We do carry a good deal of it, but I certainly think it could not offend any man in the United States

if we carried every pound of American mail on American boats. It should be done.

Mr. DIAL. I agree with the Senator, and we ought to build up the merchant marine so as to carry it in our own boats.

Mr. JONES of Washington. We take care of that in the merchant marine act.

Mr. KENYON. If we want to build up a merchant marine, we should patronize our own boats.

Mr. JOHNSON. Mr. President, I wish to inquire, first, if the amendment offered by the Senator from Washington is pending now?

The VICE PRESIDENT. It is.

Mr. JOHNSON. I want to say, in reply to the Senator from Vermont, that, of course, all expedition ought to be used in acting on a measure of this sort; but there is not any more important subject before this body than the present bill. There is an amendment which I desire to present, and I am going to present it.

Mr. DILLINGHAM. I hope the Senator did not think I was trying to cut him off. I was simply asking that when amendments were presented, we might vote as quickly as possible upon them.

Mr. JOHNSON. Thus far I have not occupied any time upon this bill. I have listened to the speeches of our distinguished friends with the utmost pleasure, of course. I am going to be heard, with the permission of the Senate, for a few minutes, not more than three, upon the amendment I shall offer. I am sure the Senator from Vermont will accord me that privilege.

Mr. DILLINGHAM. With great pleasure, as far as I have the power.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Washington [Mr. JONES] to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. TRAMMELL. Mr. President, I now present the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will read the amendment to the amendment.

The READING CLERK. Amend, on page 9, by striking out, after the words "Sec. 2(a)," the following words:

That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910.

And insert in lieu thereof:

That for two years from the approval of this act immigration of aliens of any nationality to the United States be, and the same is, hereby prohibited.

Mr. TRAMMELL. Mr. President, I propose to occupy but very little time, as I see Senators are getting very restless to vote on the bill, and it is the desire of a great many to have an early adjournment.

It seems to me to be the consensus of opinion of practically the entire membership of the Senate, as well as of the House of Representatives, that there exists a condition in this country and in other countries which necessitates action upon the part of the United States looking to the restriction of immigration. That condition which makes necessary a restriction bringing it down to a very small percentage in my opinion makes it necessary to have an absolute prohibition against immigration.

I can not quite appreciate the argument made by some that we will offend the sensitiveness of other nations by enacting an absolute prohibition against immigration, when they take it to themselves that to restrict it to 3 per cent will not also offend them. If we are going to be governed in dealing with this subject by the attitude with which it will be received by other nations, then certainly it will be received with no more favor if we limit it to 3 per cent than it would to have an absolute prohibition, because the other nations necessarily see that it is the desire of this country that their emigrants cease coming here or, at least, that they shall come to a very limited extent.

I think, Mr. President, it is more important that this country should be relieved from having an onrush of immigration than it is for us to be so very careful in regard to whether or not we will offend other nations upon this question. We have had a great many people come to this country who have made good citizens, that is true, but we have had a great many come to this country who have not made good citizens, and unfortunately at the present time and possibly during the last decade there has been a greater disposition on the part of the foreign born immigrating to the United States than ever in the history of our country to endeavor to break down our Government and our institutions, and to be a disturbing element here instead

of being an element to assist in promoting our institutions and sustaining our Government.

At this particular time, when our business institutions are more or less disorganized, when we are just rallying from the staggering influences of the war, when we have labor idle by the millions here in this country, I can not see why we want to invite very cordially others to come here. What service or what benefit will they be to America? We have heard a great deal about "America first." We have heard a great deal about "We are for the United States first." I heartily share in those sentiments when they are sincerely spoken, because I sincerely believe in America first and in standing by our own flag and our own country; but what benefit are we to derive from having immigration come here? I believe we should prohibit it absolutely for a period of two years and give the Nation an opportunity to go through the reconstruction period, the rebuilding of our business affairs, and the remodeling, where necessary, of our laws to suit new conditions under which we are existing since the war. I hope that my amendment to the amendment of the committee will be agreed to.

Mr. WATSON of Georgia. Mr. President, in support of the proposition of the Senator from Florida [Mr. TRAMMELL], I beg to say briefly that, in my judgment, there is no middle ground between unrestricted immigration and absolutely prohibited immigration. This thing of settling the right of immigrants to come here on a percentage basis does not strike me as being legal or having in it the essentials of common sense and common justice. If we allow 3 per cent to come from a country where we do not want 1 per cent, we are doing ourselves a wrong; and if we refuse to allow 6 per cent to come from a country where we would like to have 12 per cent, we are doing those people and ourselves a wrong.

We have provided in the bill that the information shall go to our diplomatic and consular agents abroad telling them the number whom they can admit to be immigrants, and that not more than 20 per cent of the utmost allowance can be licensed to come during any one month. In nearly every country from which these immigrants come there will be from half a dozen to a dozen consular positions, and it will be published abroad just like it will be published here, and there will be conflicts if we undertake to sift them out. It is unsound. It is a confused measure. It rests upon no scientific basis.

We want the whole world to come here or we want to stay here with those who have come and develop the American ideal without the interference of those who oppose that ideal. We want the melting pot to melt. We want assimilation to go on. We do not want "little Germanys" here that speak German and have German customs, German ideas, and nothing in the world but German love. The same can be said of "little Italys." The same can be said of "little Russias." The same can be said of almost every other nation. We want to assimilate what we already have.

All this talk about steamship companies fails to appeal to me. There is a colored gentleman in the woodpile whose name has not been mentioned, and that colored gentleman is cheap labor. The steamship company is not the only offender in this regard. There must be an accomplice somewhere. As a matter of fact, there are several accomplices. There are various interests that want more people brought here to compete with those who are already here.

A few years ago, when the whole country was horrified by conditions that existed in the coal fields of the middle West, we were told that 27 different languages were spoken in the coal fields of Colorado. I do not know whether the statement was true or not, but it must be largely true that we have drawn from nearly every nation on the face of the earth. Now it is proposed that we shall say that we arbitrarily strike a line of 3 per cent, without regard to the desirability of the immigrants. Just because in 1910 a great number came from a country from which we would like to have had none, we will take 3 per cent now; and because in 1910 only a small portion came from a country where we would have been glad to have had a great many more, we will take only 3 per cent. That is putting on the same level the good and the bad. That is putting on the same level those whom we can assimilate and those whom we can not. It is putting on the same level those who go to the farms and work and those who stay in the cities and do not work.

I submit, Mr. President, that there is no scientific basis for any percentage based upon the immigration of some other year. Let us throw the doors wide open and keep them open for all time or let us close them and say they have been open long enough, and work out our own salvation through our merchant

marine, our farming interests, our milling interests, our mining interests, and every other interest that we have.

The VICE PRESIDENT. The question is on the adoption of the amendment proposed by the Senator from Florida [Mr. TRAMMELL] to the amendment of the committee.

Mr. HEFLIN. I demand the yeas and nays.

The yeas and nays were ordered.

Mr. OVERMAN. Let the amendment to the amendment be reported.

The VICE PRESIDENT. The amendment to the amendment will be read.

The READING CLERK. The Senator from Florida proposes, on page 9, in lines 1 to 6, inclusive, to strike out the following words:

That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910.

And in lieu thereof insert:

That for two years from the approval of this act immigration of aliens of any nationality to the United States be, and the same is hereby, prohibited.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). I have a pair with the senior Senator from Oklahoma [Mr. OWEN]. I transfer that pair to the junior Senator from Pennsylvania [Mr. KNOX] and vote "nay."

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH]. I transfer that pair to the Senator from Kentucky [Mr. ERNST] and vote. I vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Texas [Mr. CULBERSON], and on this amendment I vote "yea."

The roll call was concluded.

Mr. DIAL. I desire to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is detained on official business. He has a general pair with the Senator from South Dakota [Mr. STERLING].

Mr. FERNALD. I have a general pair with the senior Senator from New Mexico [Mr. JONES]. I transfer that pair to the Senator from Maryland [Mr. WELLER] and will vote. I vote "nay."

Mr. BROUSSARD (after having voted in the negative). I am paired with the senior Senator from New Hampshire [Mr. MOSES]. I therefore withdraw my vote.

Mr. DILLINGHAM (after having voted in the negative). I observe that the Senator from Virginia [Mr. GLASS] is absent from the Chamber. I have a general pair with that Senator, which I transfer to my colleague [Mr. PAGE], and allow my vote to stand.

Mr. CURTIS. I wish to announce the following pairs:

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from West Virginia [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas 19, nays 47, as follows:

YEAS—19.

Ashurst	Hefflin	Sheppard	Underwood
Caraway	Jones, Wash.	Shields	Watson, Ga.
Fletcher	McKellar	Simmons	Williams
Harris	Overman	Swanson	Willis
Harrison	Pittman	Trammell	

NAYS—47.

Ball	Elkins	Lenroot	Polindexter
Borah	Fernald	Lodge	Pomerene
Brandege	Gerry	McCumber	Reed
Bursum	Gooding	McKinley	Shortridge
Calder	Hale	McNary	Smoot
Cameron	Hitchcock	Nelson	Spencer
Capper	Johnson	New	Sterling
Colt	Kellogg	Nicholson	Townsend
Curtis	Kenyon	Norbeck	Wadsworth
Dial	Keyes	Norris	Walsh, Mass.
Dillingham	King	Oddie	Warren
Edge	La Follette	Phipps	

NOT VOTING—30

Broussard	France	Jones, N. Mex.	McCormick
Culbertson	Frelinghuysen	Kendrick	McLean
Cummins	Glass	Knox	Moses
Ernst	Harreld	Ladd	Myers

Newberry
Owen
Page
Penrose

Ransdell
Robinson
Smith
Stanfield

Stanley
Sutherland
Walsh, Mont.
Watson, Ind.

Weller
Wolcott

So Mr. TRAMMELL's amendment to the amendment of the committee was rejected.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. JOHNSON. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from California to the amendment will be stated.

The READING CLERK. On page 9, after line 23, it is proposed to insert the following:

Aliens who prove to the satisfaction of the proper immigration officer or of the Secretary of Labor that they are actually subjects of religious or political persecution in the country of their last permanent residence and are seeking admission to the United States solely to avoid the suffering and hardship involved in such persecutions.

Mr. JOHNSON. Mr. President, permit me for an instant to call the attention of the Senate to what the amendment provides. We have before the Senate an amendment which has been presented as a substitute for the House bill. The bill which has been passed by the House, and which, of course, presumably, will go into conference with the bill as passed by the Senate, has a provision similar in character to the amendment which I have just introduced, except that it refers alone to those who suffer from religious persecution, in the exact language of the amendment I have presented. The House bill carries an exception of those who have been subjected to religious persecution. I have added in this amendment "or political," so that the exception is made of those who have been subjected to religious or political persecution. They are exempted from the operation of the bill.

I present this amendment, Mr. President, because it embodies what has been the policy of this Nation since the time we became a nation, and it is a policy which we have pursued continuously until the present day. If we had excluded immigration entirely, if we had put up the bars so that there could be no immigration of any kind, I would have been quite content with that; but the pending measure does not, of course, do that. It does not adopt a distinct, definite policy of exclusion, but it permits the admission of 3 per cent based upon the population of foreign born in our country in 1910.

The House bill makes an exemption in the one direction, namely, religious persecution; I make the exemption applicable both to religious and political persecution. That being the policy that has been pursued by this country from the time that we became a nation, and inasmuch as the policy has not been definitely changed by this bill as to the admission of immigrants here, I think that the only policy we ought to pursue, and the amendment seeks so to do.

Mr. WILLIS. Mr. President, the argument of the Senator from California is plausible but not convincing. If this amendment is to be adopted, we shall be driving a 4-horse team right through the bill, and there will be no use at all of passing it.

I think the Senator from California is entirely mistaken in his view as to the attitude of the other House. I think I know as much about that particular matter as does he. I think the House is not disposed to insist upon the provision adopted by it touching the admission of those subjected to religious persecution. However, whether the House takes that position or not, this body ought to enact legislation that appeals to its sound judgment.

As Senators will note, the provision adopted by the House exempts "aliens who prove to the satisfaction of the proper immigration officer or the Secretary of Labor that they are actually subjects of religious persecution." A consideration of the question must convince any thoughtful man that if such a provision shall go into the bill it will make it absolutely unworkable and will turn the office of Secretary of Labor and perhaps of the President of the United States into places where practically nothing will be done but to hear appeals. If Senators are interested in the restriction of immigration, as I am, they will vote down the amendment and then vote for the bill.

Mr. JOHNSON. Mr. President, just a word in response. I do not know, of course, what the House intends to do in conference. I have read from the House bill. I can recall, and you can recall, Mr. President, the Kossuth case, years ago, when we permitted him to land in this country and would not permit him to be taken from it because of the character in which he came. I can recall, and you can recall, that during all of the period we have existed as a Nation we have ever boasted of the fact that we were a place of refuge for those who are persecuted either religiously or politically. By no

means do we drive a 4-horse team through this bill if we adopt the amendment I have proposed. This has always been our policy, and to-day, if the Senate defeats the amendment, it will alter the policy that has ever been ours.

The cases which will arise can not be innumerable at all; there may be some, but not a vast number. In the past the time occupied in trials in respect to the particular subject matter has never been a matter that was of great moment or of great consequence, and in the future it can not be a matter in connection with which there will be a great deal of time or, indeed, a great deal of effort expended. I have offered the amendment merely because of my desire to maintain and continue the policy which the Republic has followed ever since it became a nation.

Mr. WILLIS. Mr. President, I desire to say merely a word or two in reply to the Senator from California. I think, Senators, we have come to the time when we should begin to legislate for the people of this country. When measures are proposed for legislative sanction immediately the consideration that is suggested is, What will some foreign nation or some alien think about it? We have organizations of the friends of various foreign countries; let us have an organization of the friends of our own country for a while, and see how that will work.

Mr. REED addressed the Senate. After having spoken for nearly an hour, he said:

Mr. President, I have some further remarks on the pending question which I should like to continue in the morning. I think it is rather late.

RECESS.

Mr. DILLINGHAM. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, May 3, 1921, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, May 2, 1921.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Lord, our times are in Thine hand. We look backward with gratitude and forward with fervent hope. Create within us a deeper desire to grow in knowledge and a love for the truth. May our devotion to Thee and to our country be as a sacred flame, and when the road winds up the hill that is steep and lonely, be Thou at our right hand. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, April 30, 1921, was read and approved.

LEAVE TO PRINT.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to proceed for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. Mr. Speaker, on April 27 a very able and an exceedingly instructive and highly illuminating address was made to the United States Chamber of Commerce by the gentleman from Iowa [Mr. Goon], the distinguished chairman of the Committee on Appropriations. This address shows great research and was prepared with great care. I am sure that it will be a matter of supreme interest and highly instructive to all the Members, because it is a historical review, so to speak, of the fiscal operations of the Government as applied to the appropriations and expenditures, and also makes valuable suggestions as to the methods which should be adopted to provide the revenue necessary to run the Government during the ensuing fiscal year. I therefore ask unanimous consent—

Mr. KING. Will the gentleman yield?

Mr. BYRNS of Tennessee. I have not submitted my request yet, but I will yield.

Mr. KING. I just wanted to ask the gentleman if he had submitted it to the gentleman from Oklahoma [Mr. McClintic]?

Mr. BYRNS of Tennessee. No; I have not, but I hope the gentleman from Oklahoma, in view of the importance of this address, will make no objection to the request which I will now make. Mr. Speaker, I ask unanimous consent that this speech be printed as a House document.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the speech referred to be printed as a House document. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 694. An act providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia;

S. 1154. An act for the construction of a bridge across the Des Moines River at or near the city of Dumas, Mo.; and

S. J. Res. 16. Joint resolution repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and the joint resolution of December 7, 1917, declaring a state of war to exist between the United States and the Imperial and Royal Austro-Hungarian Government, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. J. Res. 16. Joint resolution repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and the joint resolution of December 7, 1917, declaring a state of war to exist between the United States and the Imperial and Royal Austro-Hungarian Government, and for other purposes; to the Committee on Foreign Affairs.

S. 694. An act providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia; to the Committee on the Judiciary.

S. 1154. An act for the construction of a bridge across the Des Moines River at or near the city of Dumas, Mo.; to the Committee on Interstate and Foreign Commerce.

UNANIMOUS CONSENT CALENDAR.

Mr. IRELAND. Mr. Speaker, I ask unanimous consent for the consideration of the privileged resolution which I send to the Clerk's desk.

The SPEAKER. This is the day set aside for consideration of bills on the Unanimous Consent Calendar. The Clerk will report the first bill.

DIVERSION DAM, CROW INDIAN RESERVATION.

The first business on the Calendar for Unanimous Consent was Senate joint resolution (S. J. Res. 20) making the sum of \$150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, I ask to have the joint resolution reported.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Senate joint resolution (S. J. Res. 20) making the sum of \$150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available.

Resolved, etc., That the sum of \$150,000 appropriated by the Indian appropriation act, approved March 3, 1921 (Public No. 359, 66th Cong., 3d sess.), for the construction of a diversion dam on the Big Horn River, Crow Indian Reservation, Mont., be, and the same is hereby, made immediately available for the construction of said dam.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. GARNER. Mr. Speaker, what committee does this come from?

The SPEAKER. From the Appropriations Committee. The Chair hears no objection. The Clerk will report the joint resolution.

The joint resolution was again reported.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent that this may be considered in the House as in the Committee of the Whole.

Mr. STAFFORD. Mr. Speaker, it is on the Union Calendar, and it is necessary to consider it in the House.

The SPEAKER. It will be considered in the House. The Chair ruled once before that unanimous consent having been given for consideration, a bill could be considered in the House. The question is on agreeing to the joint resolution.

The question was taken, and the joint resolution was agreed to.

On motion of Mr. ELSTON, a motion to reconsider the vote by which the joint resolution was agreed to was laid on the table.

BRIDGE ACROSS OHIO RIVER, IRONTON, OHIO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 3152) granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JOHNSON of Washington. Was not this bill brought up two or three years ago?

Mr. FOSTER. No.

The SPEAKER. This is a different bill. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 3152) granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.

Be it enacted, etc., That the consent of Congress is hereby granted to the Ironton & Russell Bridge Co. and its successors and assigns to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation, at or near the city of Ironton, Ohio, in the county of Lawrence, in the State of Ohio, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. FOSTER, a motion to reconsider the vote by which the bill was passed was laid on the table.

ARREARS ON FEDERAL IRRIGATION PROJECTS.

The next business on the Calendar for Unanimous Consent was House joint resolution (H. J. Res. 52) to authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914.

The SPEAKER. Is there objection to the consideration?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman who has this matter in charge what particular urgency there is for taking these people out of the provisions of the law on this particular occasion?

Mr. KINKAID. Mr. Speaker, I will say to the gentleman from Massachusetts that it is because of the generally demoralized condition of business that the necessity arises for the relief asked. As the Secretary of the Interior states in his letter recommending the enactment of the resolution, it is on account of the low price of farm products and the difficulty in securing loans from the banks.

Of the 12 principal projects under the reclamation law there are but 3 which perhaps will need much relief. The record made by the projects in general is a very fine one. Indeed, and all that is asked by the resolution is that a small percentage have time to raise a crop so that they can pay the charges. They do not ask to be relieved from charge at all, but they are required to pay penalties at the rate of 1 per cent a month, or 12 per cent a year, for the time that is granted them. So the Government will not lose anything at all. On the contrary, the payment of the amount will be made certain, with what is equivalent to interest at the rate of 12 per cent, while the Government is paying on its own indebtedness only about one-third of that amount. So the Government will gain financially by the operation.

Now, the holdings are homes; they are farms which are valuable. Only water users who are worthy will be granted water. Each individual case will stand upon its own merits.

The Secretary of the Interior is required to make due investigation of each case and grant the relief only if it is shown that the applicant is entitled to relief, and reject the application for more time—that is, not to grant water—if the water user does not show himself worthy. Now, he can go out and look over his farm and see what he has been doing in order to determine the merits of his application for water this year, so that the water is there ready. If the water is not granted to the water user, he can not make a crop. He will be like a debtor imprisoned for the nonpayment of debt who is without the means of earning the money.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. KINKAID. Yes.

Mr. WALSH. What is the situation going to be if these crops that are planted this year fail, or if the prices should not be sufficient to pay for the two years? Are they going to come in again asking for another extension?

Mr. KINKAID. I can not answer that, but I am satisfied or have confidence that Providence will be with us this year. At least I hope that will be the case.

Mr. WALSH. Oh, I suppose the gentleman is depending upon the emergency tariff bill to increase prices.

Mr. KINKAID. Here is given 1,000 per cent security for all that is unpaid.

Mr. HICKS. Mr. Speaker, will the gentleman yield?

Mr. KINKAID. Yes.

Mr. HICKS. About how many is it expected will be entitled to this relief?

Mr. KINKAID. There are 195 on one project out of 1,440 water users. The others do not need relief. That constitutes about the percentage in the three cases which need more relief than any of the rest.

Mr. HICKS. And it will run about 500 altogether who are to be benefited if this bill becomes a law?

Mr. KINKAID. Not quite that many.

Mr. HICKS. How much money is involved?

Mr. KINKAID. The rate after that is to be \$2.50 per acre on each 250-acre farm, or \$200 on a farm; and those farms are worth \$100 an acre.

Mr. HICKS. Then, do I understand by the statement of the gentleman from Nebraska that the money involved here is about \$200 for each applicant, and there are 500 applicants? Multiplied by that would make the total?

Mr. KINKAID. Yes; approximately that is what would be involved, and the security is a thousandfold good, and unless they can have the water to raise the crops they will have to do without the water this year until they have raised the money. The Interior Department is not authorized to grant any relief unless legislation is passed authorizing the granting of the relief.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. KINKAID. Yes; I yield to the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, I think it is highly important, in fact, almost essential, that this resolution shall be adopted, and yet I regret the conditions which necessitate it, and I favor it only because I am very sure the Secretary of the Interior and the Reclamation Service will be very careful in extending the benefits of the relief proposed under the resolution.

Mr. HUDSPETH. As I understand, the Secretary of the Interior recommends this legislation?

Mr. MONDELL. He does. We who live in the region where the reclamation projects are, if we realize our responsibilities—and I hope all gentlemen do—realize that one of those responsibilities is that of insistence that all shall be mindful of their obligations under these projects, and that they shall not expect, and they shall not be encouraged to expect, that they are not to eventually pay the charge for the construction and the maintenance charges. In order to avoid some of the faults of administration Congress some years ago provided that the Secretary would not grant relief beyond a certain point.

That is quite sufficient under ordinary circumstances, but the people on some of these projects, in common with the agriculturists of that section generally, are facing a situation that is extraordinary, a situation which is exceedingly trying and difficult, a situation under which they have either disposed of their products for less than the cost of production or still hold them unable to market them even below the cost of production. While the major portion of the settlers will be able to meet, and will meet, their obligations there are some that in my opinion must be relieved if we are to continue to have the projects operate to their full capacity.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. In just a moment. And it is not wise and would not be wise to have a tract here and there deprived of water because of the inability of the entryman to pay the maintenance charges this year until late in the year. My understanding is that the arrangement that the Secretary would make would be one under which the charge for maintenance this year, instead of being paid in advance, as required by law, shall be paid immediately after or soon after the crop is harvested.

Now I yield, though I do not control the time.

Mr. WALSH. What is the penalty if this legislation is not enacted?

Mr. MONDELL. Cancellation of the entry and a forfeiture of all the payments made.

Mr. WALSH. That would occur in a very small number of cases, perhaps?

Mr. MONDELL. Well, it would occur in many more cases than it ought to, and in the case of men who are well meaning and well intentioned and who under the circumstances should not be deprived of the opportunity to continue their operations.

Let me say to my friend that the payments have, taken altogether, been generally paid when due on these projects, and only here and there is there a situation that requires relief. I am sure the Secretary will be careful in extending relief.

Mr. HUDSPETH. I understand about 8 per cent there are in need of relief?

Mr. MONDELL. Yes; on some projects not over 1 or 2 per cent, on some none.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. KNUTSON. Is it not true that conditions in the West are unusual this year?

Mr. MONDELL. Very extraordinary.

Mr. WALSH. I would like to come upon a time when for once, so far as legislation is concerned, there are not unusual conditions in the West because of the fault of legislation taking people subject to the law out of the provisions of the law. The gentleman from Wyoming has seen us make exception after exception here until finally the law as passed has broken down.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. MONDELL. We have had this provision on the statute books for about nine years, I think, and up to this time no general request for exemption from the conditions had been submitted, and I hope nothing will occur in the future under which there need be any further relief of this sort.

Mr. WALSH. Mr. Speaker, I do not think we ought to establish the precedent for this sort of legislation, and I object.

Mr. SINNOTT. Will the gentleman withhold his objection?

Mr. WALSH. I withhold it until the gentleman can make a statement.

Mr. SINNOTT. These settlers are not relieved from any penalty except the refusal of water—

Mr. MONDELL. For the time being.

Mr. SINNOTT. For the time being. If they do not pay, they can not obtain irrigation water for this year. Under this act they pay the usual penalty of 1 per cent a month for their failure to make their payment. Now, if this is not accorded to them the water will run down the canals just the same and past their farms and holdings—

Mr. REECE. And be wasted.

Mr. SINNOTT. And the water will be wasted. All that they get under this bill is the right to use the water for this year upon the payment of a penalty of 1 per cent a month. No one is injured by this.

Mr. WALSH. What is going to be the situation if they have a poor crop year?

Mr. SINNOTT. They will have to hustle and raise the money to meet their payments when they become due. Possibly the financial situation will be better next fall. In a great many places in the country the farmers are actually unable to pay their taxes on account of the crop condition.

Mr. WALSH. I object.

Mr. SINNOTT. There is perfect security to the Government. The Government does not lose anything.

Mr. KINKAID. If the gentleman will withhold this objection—

Mr. WALSH. I will withhold it to allow the gentleman from Nebraska to make a statement.

Mr. KINKAID. The water is already impounded for each of these farm units and will go to waste if it is not utilized by all of the water users, so that the Government loses nothing by furnishing the water. Even if the Government never collected the amount due for construction, operation, and maintenance charges, it would lose nothing by allowing the water to be used. The water must go to waste if it is not utilized this year. All that is sought is time in which to raise a crop to realize the money whereby the delinquent payments may be made. The Government is getting interest—it is called a penalty, but it is equivalent to interest—at 12 per cent per annum. If these farmers should fail in even two crops, the Government could not lose, but they are not going to fail. When they have irrigation water their crops do not fail. The water is what makes their crops secure. Their crops are guaranteed by having the water impounded there wherewith to irrigate their land, so that there is no question about that.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. KINKAID. I yield to the gentleman from Alabama.

Mr. BANKHEAD. What is the character of the crops that they grow on these three irrigation projects that the gentleman says need relief?

Mr. KINKAID. They grow sugar beets on a small percentage of the land on two of the three in question, but four-fifths or nine-tenths of the area is devoted to alfalfa.

Mr. BANKHEAD. Was either one of these items covered by the emergency tariff bill?

Mr. KINKAID. Oh, no; they did not have to be. It never has been necessary, so far as alfalfa is concerned. They have been feeding this alfalfa to cattle, and a great deal of fattening has been done on these projects—fattening of cattle and fattening of sheep. Great herds are driven in from Wyoming in the fall to be kept there and fattened, during the winter, on sugar beet pulp and alfalfa, which makes a balanced ration for the live stock. The price of cattle was so very low that feeders could not afford to buy alfalfa to feed them. There is no market for it at home, and the freight rates are so high that it will not stand transportation at the low price. They will have nothing left after paying the freight rates. It is these three projects that have grown alfalfa mostly and have no market for it that need the relief. On the other projects hardly any of them need relief, and what is needed is negligible.

Mr. BANKHEAD. Just one other question. I understood the gentleman to say they need relief because of the fact that they were unable to negotiate loans at the banks, that although there was security a thousandfold they were unable to procure financial assistance from the local banks, and that that was one reason.

Mr. KINKAID. The banks have loaned to their limit. That is well known to the Federal Reserve System and well known in banking circles, and in my opinion there has never been presented a more meritorious case for relief for any industry than this one, or where payment is better guaranteed than it is in this case.

Mr. WYANT. Will the gentleman state what the security is which the Government will have for these advances?

Mr. KINKAID. There are no advances made.

Mr. WYANT. For these permits?

Mr. KINKAID. The Government has a first lien on the land.

Mr. WYANT. Prior to any other lien?

Mr. KINKAID. Above any other lien, a first lien on the land.

Mr. MADDEN. The Government only furnishes the water for the current year?

Mr. KINKAID. That is all.

Mr. MADDEN. And these people will have to pay for that later on, anyway?

Mr. KINKAID. They are bound to pay for it in any event or they will not get title to the land.

Mr. MADDEN. I think they ought to be given the right to raise the crops that are needed out there, and the Government certainly can not do less than is being asked for in this bill.

Mr. ARENTZ. Will the gentleman yield?

Mr. KINKAID. I yield to the gentleman from Nevada.

Mr. ARENTZ. Mr. Speaker, I happen to live in a community where this measure would be effective for great good to the financially unprepared, developing arid lands into homes under Government projects; in a section of our country, in the West, where the cost of production last year of both live stock and farm products was more than it could be sold for. For instance, the cost of production of alfalfa last year was approximately \$10 a ton. The first payment for ditch maintenance and construction was due December 1. The hay could not be sold for any price. Cattle were selling around 5 and 6 cents on the hoof. You could not sell the hay to the sheepmen, and these are the only two outlets for the hay, except shipping it out of the State, and in most cases this is prohibited on account of expensive freight rates from Nevada to California points. The bankers would not loan the money to the farmers, for they did not have it to loan in many cases, and in the section of the country where I come from they could not borrow the money for any purpose. They could not sell the hay or live stock except at considerable loss. Unless something is done to give them water this season, they can not hold last year's hay over and raise this year's hay crop and take a chance on the sheep and cattle market being a little better than it was last year, but in addition to this these same people, instead of putting in hay and keeping their hay fields in shape, will plant wheat and sugar beets and otherwise diversify their crops rather than keep it in hay, as they have heretofore, with the result that the chances are that they will have the money to pay when the interest comes due on the money they had to borrow for raising this year's and last year's crop, as well as meet the pay-

ment to the Government of the annual amount due for construction and maintenance of reservoirs and ditches.

Mr. STEPHENS. Mr. Speaker, will the gentleman yield?

Mr. ARENTZ. Yes.

Mr. STEPHENS. Mr. Speaker, will the gentleman yield until I can read a little letter on that particular subject at this time?

Mr. ARENTZ. Yes.

Mr. STEPHENS. This is along the line of agriculture and transportation. This letter is from I. N. Price & Co., who are commission men in Cincinnati, Ohio. The letter was written to me, and is as follows:

I. N. PRICE & Co.,
COMMISSION MERCHANTS,
Cincinnati, April 27, 1921.

Hon. AMBROSE E. B. STEPHENS,

Congressman Second District Ohio, Washington, D. C.

DEAR SIR: In line with the widespread discussion as to the effect of the high freight rates on the producing as well as the consuming end of the foodstuffs industry and distribution, we are outlining to you an instance wherein a car, containing 230 crates of cabbage, was shipped to us from Bowling Green, Fla., to be sold for the account of the shipper. This car was shipped on April 10, and arrived at Cincinnati April 15 instant. The car number was Northern Pacific 95491. The quality of the cabbage was good, and it arrived here on this market in good condition, and on arrival here we disposed of it at the top market price of \$2.40 per crate. A crate contains 120 pounds gross and 100 pounds net of cabbage. For transporting this car from Bowling Green to Cincinnati the carrier assessed a charge of \$430.30, and we took the matter up with the railroad company immediately, to determine whether or not the charges were correct, and they advised that they were correct. These freight charges were deducted from the gross sales of the car. The drayage and cost of handling at this end totaled \$95.20, and after deducting these charges, together with the freight charges, or a total deduction of \$525.50, it left a net balance of but \$146.50 to be returned to the grower.

Mr. GARNER (interrupting the reading). Mr. Speaker, I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. What is before the House?

The SPEAKER. The question as to whether unanimous consent shall be granted for the consideration of this joint resolution.

Mr. GARNER. Of course I do not want to interfere with the program, whether it be just a matter of killing time or what it is, but the gentleman is reading a letter with reference to freight rates in Florida, and, as I understand, this is a resolution which has to do with a land proposition in the West.

Mr. STEPHENS. But this letter pertains to the land proposition along the line of agricultural production.

Mr. WALSH. Mr. Speaker, it does not pertain to this joint resolution. I am perfectly willing that gentlemen shall present all of the information about this measure that they desire, because if they can convince me that it is wise to take these particular projects out of the operation of the general law, I shall not object. The letter the gentleman from Ohio was reading certainly has no bearing on the objection I have heretofore interposed.

Mr. JOHNSON of Washington. This is a case where the banks would extend the loan, if they had made it. The Federal Government is asked to do the same thing. If the banks had this thing, they certainly would extend it rather than see it perish.

Mr. ARENTZ. Mr. Speaker—

Mr. WALSH. I yield to the gentleman from Nevada.

Mr. STEPHENS. But the gentleman yielded to me in order that I might read a letter.

Mr. ARENTZ. Regarding the security offered by the farmer, my case is similar to that of every settler on arid land.

Mr. CARTER. Mr. Speaker, who has the floor?

The SPEAKER. The gentleman from Massachusetts has objected to the consideration of the resolution, but he has withheld the objection to allow anyone who desires to make suggestions. While he does not actually occupy the floor, yet he controls the use of the floor. Anyone demanding the regular order can at once stop the discussion.

Mr. WALSH. I yield to the gentleman from Nevada.

Mr. ARENTZ. Mr. Speaker, these farmers went on sagebrush land, unleveled, without water, and put their shacks up in the desert.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. ARENTZ. I would like first to tell my story. In most cases they have their families and went there with the idea of putting in years of time and making a home in the arid West. It took approximately \$20 an acre to clear and level the land, and in some cases it ran as high as \$100 an acre.

Mr. WALSH. Has the gentleman any confidence, if this exception be made for the water users in his particular section of the country, that we will not next season be called upon to pass another measure making a still further exception?

Mr. ARENTZ. I would not be in favor of extending the time any longer than one year.

Mr. WALSH. Then I shall withdraw my objection, in view of the gentleman's statement.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the joint resolution. The Clerk read as follows:

House joint resolution 52.

Resolved, etc., That in view of the financial stringency and the low price of agricultural products, the Secretary of the Interior is hereby authorized, in his discretion, after due investigation, to furnish irrigation water on the Federal Irrigation projects during the irrigation season of 1921 to water-right applicants or entrymen who are in arrears for more than one calendar year for the payment of any charge for operation and maintenance, or any construction charges and penalties, notwithstanding the provisions of section 6 of the act of August 13, 1914 (38 Stats., p. 686): *Provided*, That nothing herein shall be construed to relieve any beneficiary hereunder from payments due or penalties thereon required by said act.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 1, lines 3 and 4, strike out the language: "in view of the financial stringency and the low price of agricultural products."

Mr. KINKAID. Mr. Speaker, the committee has no objection to that amendment.

Mr. MONDELL rose.

Mr. STAFFORD. Does the gentleman desire recognition in opposition to the amendment?

Mr. MONDELL. No.

Mr. STAFFORD. Then I yield the floor.

Mr. RAKER. Mr. Speaker, I desire to be heard in opposition to the amendment.

Mr. MONDELL. Mr. Speaker, I have no objection to the amendment. It is simply a recitation of fact and does not affect the legislation one way or the other. This resolution should be adopted, but as one coming from the country where the reclamation projects are being carried on I want to say a few words which I hope will be read by the Secretary of the Interior and by the Commissioner of the General Land Office and the heads of the Reclamation Service relative to operations under the provisions of this resolution. I think it absolutely essential that the resolution be adopted if we are to allow a certain number of settlers on some of these projects to plant their lands and to secure crops on the lands already planted this year.

A condition unprecedented exists in that country. Some farmers have unsold products which they are not able to sell, which they can not even mortgage in order to raise the sums for these advance payments. But, Mr. Speaker, if this highly beneficial and useful work of reclamation is to go on, everyone connected with it and having to do with it must realize the obligations resting upon every settler under these projects to meet all sums due the Government, and just as far as it is humanly possible for him to do so to meet them as they become due.

Mr. KINDRED. Will the gentleman yield?

Mr. MONDELL. I can not yield.

Mr. KINDRED. Just to ask one question friendly to the measure.

Mr. MONDELL. I yield for a brief question.

Mr. KINDRED. Stripped of all unnecessary verbiage and hairsplitting amendments, does this amendment provide simply a relief for a period of 12 months to the farmers and stockmen of this area?

Mr. MONDELL. Well, for some of them; those who are unable to meet their obligations. Mr. Speaker, there are one or two very considerable projects in the West where, while the project is completed or nearly completed, construction charges have not yet begun to run. I doubt if any relief is necessary on a project of that sort. Where the settler has his area planted and has been farming for some years and has not as yet had laid upon him the obligation of construction charges, he certainly ought to be able to meet the cost of maintenance and operation. If he can not do that, it must be admitted that either he or the project is a failure, and I hope that the department will have that in mind in operating under this legislation. I hope further than that while they provide relief in worthy, needy cases they shall be very careful not to encourage nonpayment of obligations among those who are able to pay, for the future of this great work, its progress, its extension, its development depends upon the demonstration of the fact that these projects are economic, that men can meet their obligations under them, that we can go forward and develop additional areas and repay the money expended in the work of development. While relief should be granted where it is abso-

lutely essential, it should be withheld in every case where it is simply demanded or requested because for one reason or another the entryman feels that he could use the money some other way more advantageously. A policy of easy acquiescence with every request or demand under this resolution would not be a kindness to the settler and would be harmful and detrimental to reclamation development.

Mr. RAKER. Mr. Speaker, I rise in opposition to the amendment. Mr. Speaker, what has been said by the distinguished leader on the other side in regard to these projects is true, and I was delighted to hear the distinguished gentleman from Massachusetts [Mr. WALSH] withdraw his objection to the consideration of this bill, because as a matter of fact the conditions warrant legislation of this character. The striking out of the language designated in the motion now pending, "in view of the financial stringency and the low price of agricultural products," I imagine, the chairman having said there was no objection, it will go out on a vote, but we hope to show that it should not. But that is the truth of the situation, that is the fact, and we ought not to disguise the fact in the legislation, and while it will really make no material difference to the legislation, because if it is enacted it will have simply this effect, that a man who has been unable to pay for the charges of operation and maintenance for one year is in a position to lose his water-right application although he may be financially able under ordinary circumstances to make good. Ninety-five out of one hundred of these people on these projects, if not a larger percentage, will make good. And the same way with the construction charges and the penalties. Not only is he in that condition, but he is in this: If he has a homestead or desert-land filing or other filing under the project he stands in a position to have that forfeited by the Secretary of the Interior under the law, because unless in his discretion he shall otherwise proceed he cancels the man's water-right application and his land entry.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. I will yield.

Mr. WALSH. Does the gentleman think that by striking out this language any relief will be withheld from these people?

Mr. RAKER. Oh, no; not at all. The chairman having said there was no objection, so I imagine it will go out of the bill. But I was trying to offer a few feeble remarks in regard to the importance of the legislation and the necessity of it. Now, a man has his ranch or his farm. He has hay on his farm now sufficient to pay all of this indebtedness if he could sell his hay. There is no question about that. All you have to do is to go over some of these irrigation projects and you will find that to be the fact. These men have been shipping their hay, it has been bought up by various parties, and it has been shipped as far east as Kentucky, because of the quality of the hay; but I am advised by those who have been handling this product that the expense for railroad transportation is so enormous that they can not ship any more hay from the West to the Southern States where they have been shipping it, and where there is a good market, and where it could be shipped now except for the exorbitant freight rates. And I am advised that during the month of March there were three hundred and fifty odd thousand idle cars that could have been used to transport this product and like products across the continent, but they were unused on account of the machinery of the railroads going down, because they are turning off more men, and those people are unable to ship the product.

Mr. SINNOTT. Will the gentleman yield?

Mr. RAKER. I will.

Mr. SINNOTT. Would it not be better to leave this language in there which they seek to strike out, for the reason it is some guide to the Secretary of the Interior? You take this out, why, the Secretary has entire carte blanche in the matter of granting an extension to a person who is not financially embarrassed and in some communities where there is no financial stringency.

Mr. RAKER. I think so; and, Mr. Speaker, I ask that I may insert a letter in my remarks which I referred to in regard to the shipment of hay from the West to the East.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the Record in the manner indicated. Is there objection?

Mr. WALSH. How long is it?

Mr. RAKER. About a page.

The SPEAKER. The Chair hears no objection. The time of the gentleman has expired.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may have two minutes more.

The SPEAKER. The gentleman asks unanimous consent to extend his time two minutes. Is there objection? The Chair hears none.

LOS ANGELES, CALIF., March 1, 1921.

Hon. JOHN E. RAKER,
Representative of State of California,
House of Representatives, Washington, D. C.

DEAR SIR: It is our understanding that there will be introduced at the special session of Congress called for April bills repealing that section of the 1920 transportation act which directs the Interstate Commerce Commission to establish rates which will earn a specified return to the carriers on the value of the property they have devoted to transportation services. Under the present law the commission is powerless to reduce rates unless they can show an increase in revenue will result from such reduction.

The rates granted the carriers by the commission in case Ex Parte 74 may have been reasonable at that time, but conditions have changed considerably since then and the present rates are very unjust and unreasonable. Following is a typical example of the conditions which have been brought about by rates established under the 1920 transportation act: We shipped a car of hay from Los Angeles to Lexington, Ky., the invoice value being \$887.04, delivered Lexington; freight charges and war tax amounted to \$482.92, leaving \$404.12 net to us. These conditions are very discouraging. At the present time there are thousands of tons of alfalfa hay in the State of Nevada, which generally moves into this market, but owing to the exorbitant freight rates same is still in the fields rotting.

A recent report of the transportation lines showed over 358,000 surplus cars on hand. This surplus is increasing weekly instead of diminishing. This condition can not go on much longer. Business can not return to normal until freight rates are reduced.

As the people's representative we look to you for relief. We urge you to vote for any bill which will repeal the rate-making section of the 1920 transportation act. If there are no bills introduced at the special session, we ask that you introduce such a bill.

Prompt action is necessary to relieve the dangerous situation which confronts American business at this time.

Yours, very truly,

NICHOLLS-LOOMIS CO.,
F. F. MILLER, Traffic Manager.

Mr. RAKER. The gentleman from Oregon [Mr. SINNOTT] has presented a question that came before the committee, that it ought to be extended in its operation and its action by the Secretary of the Interior. If there are no financial stringencies surrounding any particular project, or if there are no low prices of agricultural products that have been raised on these various irrigation projects, there ought not to be an extension of time. There is no question on earth about that. We are in favor of these men paying back every dollar that the Government has expended on these reclamation projects. And they will do it, if you will give them an opportunity, when the money stringency has changed, and the low prices of agricultural products come back, as they ought to, and are sure to do, and when there are reasonable transportation charges and reasonable prices, so that the people in the large cities can obtain these products, instead of starving for want of them, as they are doing now. These farmers will then be able to receive a fair remuneration for their labor and produce. So the Secretary wanted this in the bill as a guide, and the committee unanimously acted upon it as such, and as a determining factor in presenting the bill to the House, namely, that there could be no justification for this committee reporting this bill, there could be no justification for the House passing this bill, unless the two conditions existed, namely, a stringency in the money market and, second, low prices of agricultural products, so low that they ought not to sell them and can not sell them so as to bring a reasonable compensation. Let the amendment be rejected and the bill pass. The remedy is right. The result will benefit the farmers—no detriment to the Government—will benefit both parties in the end.

Mr. HUDSPETH. My colleague states something about an amendment to this resolution. I fail to find any.

Mr. RAKER. The gentleman from Wisconsin [Mr. STAFFORD] has offered an amendment, and which is pending, to strike out the words of lines 3 and 4, reading as follows:

That in view of the financial stringency and the low price of agricultural products.

The SPEAKER. The time of the gentleman from California has expired. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD].

The question was taken, and the amendment was rejected.

The SPEAKER. The question is on the engrossment and third reading of the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KINKAID, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

Mr. KINKAID. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks in the Record. Is there objection?

Mr. McCLINTIC. I object, Mr. Speaker.

PRINTING OF A COMMUNICATION FROM THE SECRETARY OF THE TREASURY.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to address the House for five minutes on the subject of the printing of a letter from the Secretary of the Treasury.

The SPEAKER. The gentleman asks unanimous consent to address the House for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FORDNEY. Mr. Speaker and gentlemen of the House, I have received a letter from the Secretary of the Treasury, which I am going to ask to have printed as a public document, but for a few minutes I want to call the attention of the House to two points to which the Secretary calls our attention. One is that the estimated expenditures of the Government for this and the next fiscal year will fall short of the estimated expenditures—this year by about \$114,900,000 and about \$18,000,000 next year. The Secretary points out that within the next 24 months more than one-half of our Government obligations after deducting from our total obligations the moneys due us from foreign Governments fall due, or \$7,579,000,000, in round numbers.

Mr. GARNER. Will the gentleman yield?

Mr. FORDNEY. I yield.

Mr. GARNER. Does the gentleman intend to print the letter?

Mr. FORDNEY. I just wanted to call attention to those two points, and then I am going to ask to have the letter printed as a public document.

The Secretary points out that unless Congress practices rigid economy and reduces Government expenditures under existing law we will not have revenue sufficient to discharge any of the short-time obligations of the Government.

Mr. BYRNES of South Carolina. Is the gentleman in accord with the statement of the Secretary?

Mr. FORDNEY. I am strongly in favor of rigid economy in the Government. We should without any question reduce Government expenditures.

Mr. BYRNES of South Carolina. I, too, am in favor of it; but for two years I have been urging the Congress to stop appropriating money by reappropriation and revolving funds, and I notice the Secretary says that by reappropriation and by revolving funds hundreds of millions of dollars of actual cash are being paid out by the Treasury. Is the gentleman in favor of joining me in stopping these indirect appropriations of which the Secretary complains?

Mr. FORDNEY. I am in favor of using the pruning knife industriously wherever it can be done to advantage.

I am unable in five minutes' time to state all of the items on which, in my opinion, we can save Government expenditures. One of them is the Bureau of War Risk Insurance. In my opinion that department should be revamped and the compensation feature of the war-risk insurance should be transferred to where it belongs, to the Pension Department, where there is an organization well trained and equipped to administer that part of the law for much less money than under present plans.

Now, gentleman, I have a statement here which shows that for the printing of 1,345 copies, the usual number, the expense will be \$88.09, and for each additional 1,000 copies \$6.72. I ask that this letter be printed as a public document, and that the House authorize the printing of at least 5,000 additional copies to the usual number. There will be a great demand for it, and, in my opinion, it contains very valuable information at this time.

Mr. GARNER. Will the gentleman yield?

Mr. FORDNEY. I yield.

Mr. GARNER. Mr. Speaker, I do not want to object to the printing of this letter as a document. It ought to be printed. But for what purpose is the gentleman asking that 5,000 be printed?

Mr. FORDNEY. I think there will be a very great demand for it, because there is so much information in the letter, in my opinion, that the people ought to have, and I think this report should be placed at the disposal of Members of Congress, so that Members of Congress may give them to their constituents as they ask for them.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GARNER. If the gentleman will permit, I agree with the gentleman that this information ought to be given to the Congress, but as to using this as a campaign document or as an educational agency or as a means of propaganda for the purpose of advocating the repeal of certain taxes or the levying of certain other taxes, I do not think it ought to be used for that purpose.

Mr. FORDNEY. My dear friend, let me say to you that I do not think there is one bit of politics in the whole report. It

is not my purpose, however, to use it in any form or shape or manner politically.

Mr. GARNER. Let me point out to the gentleman a thing that he criticized the last administration for, and that was that he advocated the repeal of certain taxes and the levy of certain other taxes. Now, the present Secretary does advocate the repeal of certain taxes and the levying of certain other taxes, and the gentleman will recall the fact that Secretary Houston was severely criticized for suggesting that by a certain method you could get certain money. It is a fact that he did point out that by levying certain taxes you could get certain money, but it seems the present Secretary—

Mr. FORDNEY. What is the difference between Secretary Houston's recommendation and those set forth in this letter, my friend?

Mr. GARNER. The difference is that according to the newspapers he recommends the levying of certain specific taxes.

Mr. FORDNEY. My dear friend, you should only believe half that you see in the newspapers and nothing that you hear. [Laughter.] I would rather not comment upon the Secretary's suggestions. I would have his letter printed as a public document and let each one comment on it for himself.

Mr. GARNER. I do not think you should have the extra number printed in the first instance, or unless it should be found later that they are needed.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GARRETT of Tennessee. Does the gentleman agree with the Secretary's suggestions?

Mr. FORDNEY. Yes. So far as I understand, there is no great difference between the suggestions of the two Secretaries. I do not now recall that there is any difference and could not make correct comment without comparing the two reports.

Mr. Sisson. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. Sisson. In having the document printed, should not the resolution provide the number that are given to the Senate and the number that should be given to the House? That has been usual, so as to have an equal and just distribution.

Mr. FORDNEY. That is true where more than the ordinary number is printed.

Mr. Sisson. Will that document be distributed through the document room or through the folding room?

Mr. FORDNEY. I am not positive. Maybe the gentleman himself can answer that question.

Mr. Sisson. We should know exactly what is to be done with it, and certainly we should know how many each Member is fairly entitled to.

Mr. FORDNEY. I would like to have it distributed among the Members of the House.

Mr. Sisson. I shall have no objection to the request or resolution if it is so framed that every Member of the House may have a certain number at his disposal.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. LONGWORTH. I think the gentleman made a remark by inadvertence, possibly not understanding the question of the gentleman from Tennessee [Mr. GARRETT].

Mr. FORDNEY. Possibly I did not understand the gentleman.

Mr. LONGWORTH. That was that Secretary Mellon makes the same recommendation that Secretary Houston did.

Mr. FORDNEY. Without comparing them particularly, I do not think there is great difference.

Mr. LONGWORTH. Oh, there is a vital difference.

Mr. FORDNEY. But I do say this, that this is a Republican document and undoubtedly correct. [Laughter and applause.]

Mr. LONGWORTH. And that is the very reason why there is such a wide difference. [Laughter.]

Mr. FORDNEY. Perhaps so. [Laughter.]

Mr. BYRNES of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. BYRNES of South Carolina. The gentleman from Michigan and myself are in accord as to the subject of lapsing appropriations. I want to call the gentleman's attention to this statement in the Secretary's letter:

Reduction of appropriations, moreover, will not of itself be effective to reduce expenditures unless at the same time the Congress avoids or controls measures which result in expenditures without an apparent appropriation. Reappropriation of unexpended balances, revolving-fund appropriations, and appropriations of receipts and other indefinite authorizations of expenditure have in the past been responsible for hundreds of millions of dollars of actual cash outgo.

Now will the gentleman help us avoid those legislative subterfuges which have been responsible for the expenditure of hundreds of millions of dollars?

Mr. FORDNEY. I will say to the gentleman that before the war there were 33,000 Government clerks employed in this city, and on the 4th of March there were 85,000 Government clerks employed here.

Mr. BYRNES of South Carolina. Congress appropriated for them.

Mr. FORDNEY. The administration then in power employed them. Whose duty is it to discharge them when they are no longer needed?

Mr. BYRNES of South Carolina. The Congress appropriates the money by which they are paid.

Mr. FORDNEY. I decline to yield to the gentleman in order that he may make a speech. The Secretary of War recently stated that he expected to discharge 16,000 clerks before the 1st of July.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask that the gentleman may have five minutes more.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the gentleman from Michigan may proceed for five minutes more.

Mr. FORDNEY. Yes; I do not want any more time. Is there objection to the printing of this letter?

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. FORDNEY. I do not want five minutes. I simply want to print this letter.

Mr. MONDELL. Mr. Speaker, reserving the right to object—

Mr. KNUTSON. I object.

Mr. GARRETT of Tennessee. Mr. Speaker, the gentleman is talking about a very important matter.

Mr. FORDNEY. The gentleman's argument is done. Does he object? That is all I want to know.

Mr. GARRETT of Tennessee. No; I ask unanimous consent—

The SPEAKER. Objection has been made.

Mr. GARRETT of Tennessee. On what side?

Mr. KNUTSON. On this side.

Mr. Sisson. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. Sisson. Is this a privileged resolution?

The SPEAKER. Yes; the gentleman from Michigan asked unanimous consent that there be printed 5,000 extra copies as a public document. The Speaker understands that he withdrew the request for 5,000 additional in response to the suggestion of the gentleman from Texas [Mr. GARNER].

Mr. GARNER. I do not want to be put in the attitude of objecting to this extra 5,000 copies if the gentleman thinks that they are necessary.

Mr. FORDNEY. I think they are.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the letter of the Secretary be printed as a public document and that 5,000 extra copies be printed. Is there objection?

Mr. Sisson. Reserving the right to object, I have no objection to printing the 5,000 copies, but I do think we should provide now in this unanimous-consent request that they be distributed through the folding room, and that 1,500 copies be for the use of the Senate and 3,500 copies for the use of the House.

Mr. FORDNEY. I have no objection to that suggestion.

The SPEAKER. Without objection, the request is amended as suggested. Is there objection to the request as amended?

There was no objection.

JOINT COMMITTEE ON REORGANIZATION.

Mr. WALSH. Mr. Speaker, I move to suspend the rules and pass Senate joint resolution No. 30.

The SPEAKER. The gentleman from Massachusetts moves to suspend the rules and pass Senate joint resolution No. 30, which the Clerk will report.

The Clerk read as follows:

Joint resolution (S. J. Res. 30) to authorize the President of the United States to appoint an additional member of the Joint Committee on Reorganization.

Mr. GARRETT of Tennessee. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Tennessee demands a second.

Mr. WALSH. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The Clerk will first report the resolution.

The Clerk read as follows:

Resolved, etc. That the President of the United States is authorized to appoint a representative of the Executive to cooperate with the Joint Committee on Reorganization created under the joint resolution of December 17, 1920, entitled a "Joint resolution to create a Joint Committee on the Reorganization of the Administrative Branch of the Government," who shall receive an annual salary of \$7,500, payable monthly, such salary to be paid in equal parts from the contingent funds of the Senate and House of Representatives as from time to time may be duly authorized by resolutions of those bodies.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] demands a second. The gentleman from Massachusetts [Mr. WALSH] asks unanimous consent that a second be considered as ordered. Is there objection?

Mr. GARRETT of Tennessee. I object.

The SPEAKER. The gentleman from Tennessee objects. The gentleman from Massachusetts [Mr. WALSH] and the gentleman from Tennessee [Mr. GARRETT] will take their places as tellers. As many as are in favor of ordering a second will pass between the tellers and be counted.

The House divided; and the tellers reported—ayes 122, noes 49.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Tennessee makes the point of order that there is no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members. As many as are in favor of ordering a second will as their names are called answer "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 224, nays 100, answered "present" 1, not voting 104, as follows:

YEAS—224.

Ackerman	Foster	Little	Rogers
Anderson	Frear	Longworth	Rose
Andrews	Free	Luce	Rosenbloom
Anthony	Freeman	Lufkin	Sanders, Ind.
Appleby	French	Luhning	Sanders, N. Y.
Arentz	Brothingham	McArthur	Schall
Atkeson	Funk	McCormick	Scott, Mich.
Barbour	Gahn	McFadden	Scott, Tenn.
Beck	Gensman	McKenzie	Shaw
Beedy	Gerner	McLaughlin, Mich.	Shelton
Benham	Glynn	McLaughlin, Nebr.	Shreve
Bird	Goodykoontz	McLaughlin, Pa.	Siegel
Bixler	Gorman	McPherson	Sinnott
Blakeney	Graham, Ill.	MacGregor	Slemp
Bland, Ind.	Green, Iowa	Madden	Smith
Boles	Greene, Mass.	Magee	Snell
Brown, Tenn.	Greene, Vt.	Maloney	Speaks
Burdick	Griest	Mapes	Sproul
Burroughs	Hadley	Mason	Stafford
Burton	Hawley	Merritt	Steenerson
Butler	Hays	Michaelson	Stephens
Cable	Herrick	Michener	Stiness
Campbell, Kans.	Hersey	Miller	Strong, Kans.
Campbell, Pa.	Hickey	Mills	Summers, Wash.
Cannon	Hicks	Mondell	Sweet
Chalmers	Hill	Montoya	Swing
Chandler, Okla.	Himes	Moore, Ill.	Taylor, N. J.
Clague	Hoch	Moore, Ohio	Taylor, Tenn.
Classon	Houghton	Moore, Ind.	Temple
Clouse	Hull	Mott	Thompson
Colton	Ireland	Mudd	Tilson
Connell	James, Mich.	Murphy	Timberlake
Connolly, Pa.	Jefferis	Nelson, A. P.	Tincher
Cooper, Ohio	Johnson, S. Dak.	Nelson, J. M.	Towner
Coughlin	Johnson, Wash.	Newton, Minn.	Treadway
Crowther	Jones, Pa.	Nolan	Underhill
Curry	Kearns	Norton	Valle
Dale	Keller	Ogden	Vestal
Dallinger	Kelly, Pa.	Osborne	Volgt
Davis, Minn.	Kendall	Parker, N. J.	Volk
Dickinson	King	Parker, N. Y.	Volstead
Dunbar	Kinkaid	Patterson, N. J.	Walsh
Echols	Kirkpatrick	Peters	Wason
Elliot	Kissel	Porter	Watson
Ellis	Klecza	Purnell	Webster
Elston	Kline, N. Y.	Ramsayer	Wheeler
Evans	Kline, Pa.	Ransley	White, Kans.
Fairchild	Kopp	Reece	Williams
Fairfield	Kraus	Rhodes	Williamson
Faust	Lawrence	Ricketts	Wood, Ind.
Fees	Layton	Riddick	Wurzbach
Fish	Len, Calif.	Roach	Wyant
Fitzgerald	Leatherwood	Robertson	Yates
Focht	Lehlbach	Robison	Young
Fordney	Lineberger	Rodenberg	Zihlman

NAYS—100.

Almon	Brand	Clark, Fla.	Dupré
Bankhead	Briggs	Collier	Favrot
Barkley	Brinson	Collins	Fisher
Bell	Buchanan	Connally, Tex.	Flood
Black	Bulwinkle	Crisp	Fulmer
Bland, Va.	Byrnes, S. C.	Davis, Tenn.	Garner
Blanton	Byrnes, Tenn.	Deal	Garrett, Tenn.
Rowling	Cantrill	Drane	Garrett, Tex.
Box	Carter	Driver	Griffin

Hammer	Linthicum	Parrish	Stedman
Hardy, Tex.	Logan	Pou	Stoll
Harrison	Lowrey	Quin	Summers, Tex.
Hawes	McClintie	Rakney, Ala.	Swank
Hayden	McDuffie	Raker	Taylor, Colo.
Huddleston	McSwain	Rankin	Ten Eyck
Hudspeth	Mansfield	Rayburn	Tillman
Humphreys	Martin	Rouse	Tyson
Johnson, Miss.	Mead	Rucker	Upshaw
Jones, Tex.	Montague	Sabath	Vinson
Kincheloe	Oldfield	Sanders, Tex.	Ward, N. C.
Kindred	Oliver	Sandlin	Weaver
Kunz	Overstreet	Sears	Wilson
Lanham	Padgett	Sisson	Wingo
Lankford	Park, Ga.	Smithwick	Woods, Va.
Larsen, Ga.	Parks, Ark.	Stegall	Wright

ANSWERED "PRESENT"—1.

Cooper, Wis.

NOT VOTING—104.

Ansorge	Denison	Kelley, Mich.	Perkins
Aswell	Dominick	Kennedy	Perlman
Bacharach	Doughton	Ketcham	Petersen
Begg	Drewry	Kiess	Pringle
Bond	Dunn	Kitchin	Radcliffe
Bowers	Dyer	Knight	Reber
Brennan	Edmonds	Kreider	Reed, N. Y.
Britten	Fenn	Lampert	Reed, W. Va.
Brooks, Ill.	Fields	Langley	Riordan
Brooks, Pa.	Fuller	Larson, Minn.	Rossdale
Browne, Wis.	Gallivan	Lazaro	Ryan
Burke	Gilbert	Lee, Ga.	Sinclair
Burness	Goldsborough	Lee, N. Y.	Snyder
Carew	Good	London	Stevenson
Chandler, N. Y.	Gould	Lyon	Strong, Pa.
Chindblom	Graham, Pa.	Mann	Sullivan
Christopherson	Hardy, Colo.	Mills	Tague
Clarke, N. Y.	Haugen	Moore, Va.	Thomas
Cockran	Hogan	Morgan	Tinkham
Codd	Hukriede	Morin	Vare
Cole	Husted	Newton, Mo.	Walters
Copley	Hutchinson	O'Brien	Ward, N. Y.
Cramton	Jacoway	O'Connor	Winslow
Cullen	James, Va.	Olpp	Wise
Darrow	Johnson, Ky.	Paige	Woodruff
Dempsey	Kahn	Patterson, Mo.	Woodyard

The Clerk announced the following pairs:

On this vote:

Mr. HUTCHINSON (for) with Mr. GALLIVAN (against).

Mr. BEGG (for) with Mr. RIORDAN (against).

Mr. CRAMTON (for) with Mr. TAGUE (against).

Mr. WOODRUFF (for) with Mr. GILBERT (against).

Mr. HARDY of Colorado (for) with Mr. CULLEN (against).

Mr. GRAHAM of Pennsylvania (for) with Mr. JAMES of Virginia (against).

Mr. HUKRIEDE (for) with Mr. CAREW (against).

Mr. BRENNAN (for) with Mr. STEVENSON (against).

Mr. CHINDELOM (for) with Mr. KITCHIN (against).

Mr. REBER (for) with Mr. FIELDS (against).

Mr. BROWNE of Wisconsin (for) with Mr. JACOWAY (against).

Mr. WOODYARD (for) with Mr. O'CONNOR (against).

Mr. LANGLEY (for) with Mr. DOMINICK (against).

Mr. DENISON (for) with Mr. ASWELL (against).

Mr. NEWTON (for) with Mr. MOORE of Virginia (against).

Mr. PERLMAN (for) with Mr. DREWRY (against).

Mr. PATTERSON of Missouri (for) with Mr. COCKRAN (against).

Mr. KIESS (for) with Mr. LEE of Georgia (against).

Mr. SNYDER (for) with Mr. THOMAS (against).

Mr. WINSLOW (for) with Mr. LAZARO (against).

Mr. RADCLIFFE (for) with Mr. JOHNSON of Kentucky (against).

Mr. REED of West Virginia (for) with Mr. WISE (against).

Mr. FULLER (for) with Mr. SULLIVAN (against).

Mr. EDMONDS (for) with Mr. O'BRIEN (against).

Mr. KAHN (for) with Mr. GOLDSBOROUGH (against).

Mr. LAMPERT (for) with Mr. DOUGHTON (against).

Until further notice:

Mr. LEE of New York with Mr. LONDON.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Tennessee moves that the House do now adjourn.

The question was being taken when Mr. GARRETT of Tennessee demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 98, nays 216, answered "present" 1, not voting 114, as follows:

YEAS—98.

Almon	Blanton	Buchanan	Clark, Fla.
Bankhead	Bowling	Bulwinkle	Collier
Barkley	Box	Byrnes, S. C.	Collins
Bell	Brand	Byrnes, Tenn.	Connally, Tex.
Black	Briggs	Cantrill	Crisp
Bland, Va.	Brinson	Carter	Davis, Tenn.

Deal	Johnson, Ky.	Oldfield	Smithwick
Dominick	Johnson, Miss.	Oliver	Stegall
Driver	Jones, Tex.	Overstreet	Stedman
Dupré	Kincheloe	Padgett	Stoll
Favrot	Kindred	Park, Ga.	Summers, Tex.
Fisher	Kunz	Parks, Ark.	Swank
Flood	Lanham	Parrish	Taylor, Colo.
Fulmer	Lankford	Quin	Ten Eyck
Gallivan	Larsen, Ga.	Raker	Tillman
Garnier	Linthicum	Rankin	Upshaw
Garrett, Tenn.	Logan	Rayburn	Vinson
Garrett, Tex.	Lowrey	Rhodes	Ward, N. C.
Hammer	McClintic	Rouse	Weaver
Hardy, Tex.	McDuffie	Rucker	Wilson
Hawes	McSwain	Sabath	Wingo
Hayden	Mansfield	Sanders, Tex.	Woods, Va.
Huddleston	Martin	Sandlin	Wright
Hudspeth	Mead	Sears	
Humphreys	O'Connor	Sisson	

NAYS—216.

Ackerman	Focht	Longworth	Rogers
Anderson	Foster	Luce	Rose
Andrews	Frear	Lufkin	Rosenbloom
Appleby	Free	Luhlin	Sanders, Ind.
Arentz	Freeman	McArthur	Sanders, N. Y.
Atkeson	French	McCormick	Schall
Bacharach	Frothingham	McFadden	Scott, Mich.
Barbour	Funk	McKenzie	Scott, Tenn.
Beck	Gahn	McLaughlin, Mich.	Shaw
Beedy	Gensman	McLaughlin, Nebr.	Shelton
Benham	Gerner	McLaughlin, Pa.	Shreve
Bird	Glynn	McPherson	Siegel
Bixler	Good	MacGregor	Sinnot
Blakeney	Gorman	Madden	Slomp
Bland, Ind.	Graham, Ill.	Magee	Smith
Boles	Green, Iowa	Mapes	Snell
Brennan	Greene, Mass.	Mason	Speaks
Brown, Tenn.	Griest	Merritt	Sprout
Burdick	Hadley	Michaelson	Stafford
Burrighs	Hays	Miller	Stephens
Burton	Herrick	Millsbaugh	Stines
Butler	Hersey	Mondell	Strong, Kans.
Cable	Hickey	Montoya	Summers, Wash.
Campbell, Pa.	Hicks	Moore, Ill.	Sweet
Cannon	Hill	Moore, Ohio	Swing
Chalmers	Himes	Moore, Ind.	Taylor, N. J.
Chandler, Okla.	Hoch	Morin	Taylor, Tenn.
Clague	Hogan	Mott	Temple
Classon	Houghton	Mudd	Thompson
Clouse	Hull	Murphy	Tilson
Colton	Ireland	Nelson, A. P.	Timberlake
Connolly, Pa.	James, Mich.	Nelson, J. M.	Tincher
Cooper, Ohio	Jeffers	Newton, Minn.	Towner
Coughlin	Johnson, S. Dak.	Nolan	Treadway
Curry	Johnson, Wash.	Norton	Underhill
Dallinger	Jones, Pa.	Ogden	Valle
Darrow	Kearns	Olpp	Vestal
Davis, Minn.	Ketcham	Osborne	Voigt
Denison	Kinkaid	Palge	Voik
Dickinson	Kirkpatrick	Parker, N. J.	Volstead
Dowell	Kissel	Parker, N. Y.	Walsh
Dunbar	Klecza	Patterson, N. J.	Watson
Echols	Kline, N. Y.	Peters	Watson
Elliott	Kline, Pa.	Porter	Webster
Ellis	Knutson	Purnell	Wheeler
Elston	Kopp	Ransley	White, Kans.
Evans	Kraus	Reavis	White, Me.
Fairchild	Lawrence	Beece	Williams
Fairfield	Layton	Ricketts	Williamson
Faust	Lea, Calif.	Riddick	Wood, Ind.
Fenn	Leatherwood	Roach	Wurzbach
Fess	Leibach	Robertson	Wyant
Fish	Leibenberg	Robison	Yates
Fitzgerald	Little	Rodenberg	Zihlman

ANSWERED "PRESENT"—1.

Woodruff

NOT VOTING—114.

Anson	Doughton	Kendall	Pringley
Anthony	Drane	Kennedy	Radcliffe
Aswell	Drewry	Kiess	Rainey, Ala.
Begg	Dunn	King	Ramseyer
Bond	Dyer	Kitchin	Reber
Bowers	Edmonds	Knight	Reed, N. Y.
Britten	Fields	Kreider	Reed, W. Va.
Brooks, Ill.	Fordney	Lampert	Riordan
Brooks, Pa.	Fuller	Langley	Rossdale
Brown, Wis.	Gilbert	Larson, Minn.	Ryan
Burke	Goldsbrough	Lazaro	Sinclair
Burtess	Goodykoontz	Lee, Ga.	Snyder
Campbell, Kans.	Gould	Lee, N. Y.	Steenerson
Carew	Graham, Pa.	London	Stevenson
Chandler, N. Y.	Greene, Vt.	Lyon	Strong, Pa.
Chindblom	Griffin	Maloney	Sullivan
Christopherson	Hardy, Colo.	Mann	Tague
Clarke, N. Y.	Harrison	Michener	Thomas
Cockran	Haugen	Mills	Tinkham
Codd	Hawley	Montague	Tyson
Cole	Hukriede	Moore, Va.	Vare
Connell	Husted	Morgan	Walters
Cooper, Wis.	Hutchinson	Newton, Mo.	Ward, N. Y.
Copley	Jacoway	O'Brien	Winslow
Cramton	James, Va.	Patterson, Mo.	Wise
Crowther	Kahn	Perkins	Woodyard
Cullen	Keller	Peterson	Young
Dale	Kelley, Mich.	Pou	
Dempsey	Kelly, Pa.		

So the motion to adjourn was lost.

The following pairs were announced:

Until further notice:

Mr. GRIFFIN (for) with Mr. RADCLIFFE (against).
 Mr. ASWELL (for) with Mr. BOWERS (against).
 Mr. RICHARD (for) with Mr. BEGG (against).
 Mr. TAGE (for) with Mr. CRAMTON (against).
 Mr. GILBERT (for) with Mr. WOODRUFF (against).
 Mr. CULLEN (for) with Mr. HARDY of Colorado (against).
 Mr. JAMES of Virginia (for) with Mr. GRAHAM of Pennsylvania (against).
 Mr. CAREW (for) with Mr. HUKRIEDE (against).
 Mr. KITCHIN (for) with Mr. CHINDELOM (against).
 Mr. FIELDS (for) with Mr. REBER (against).
 Mr. JACOWAY (for) with Mr. BROWNE of Wisconsin (against).
 Mr. MOORE of Virginia (for) with Mr. NEWTON of Missouri (against).
 Mr. DREWY (for) with Mr. PEREMAN (against).
 Mr. COCKRAN (for) with Mr. PATTERSON of Missouri (against).
 Mr. LEE of Georgia (for) with Mr. KIESS (against).
 Mr. THOMAS (for) with Mr. SNYDER (against).
 Mr. LAZARO (for) with Mr. WINSLOW (against).
 Mr. WISE (for) with Mr. REED of West Virginia (against).
 Mr. SULLIVAN (for) with Mr. FULLER (against).
 Mr. O'BRIEN (for) with Mr. EDMONDS (against).
 Mr. GOLDSBOROUGH (for) with Mr. KAHN (against).
 Mr. DOUGHTON (for) with Mr. LAMPERT (against).
 Mr. POU (for) with Mr. ANTHONY (against).
 Mr. MONTAGUE (for) with Mr. RHODES (against).
 Mr. HARRISON (for) with Mr. MANN (against).
 Mr. STEVENSON (for) with Mr. LANGLEY (against).
 Mr. RAINEY of Alabama (for) with Mr. VARE (against).
 Mr. TYSON (for) with Mr. HUTCHINSON (against).
 Mr. DRANE (for) with Mr. FORDNEY (against).
 Mr. WOODRUFF. Mr. Speaker, I am paired with the gentleman from Kentucky, Mr. GILBERT, and I withdraw my vote and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. A second was ordered, and the gentleman from Massachusetts [Mr. WALSH] has 20 minutes and the gentleman from Tennessee [Mr. GARRETT] has 20 minutes.

Mr. GARNER. Mr. Speaker, I would like to ask the gentleman from Massachusetts what he would say as to extending the debate a little mite?

Mr. WALSH. I think it would be more desirable to restrict debate. Mr. Speaker, I desire to yield the time allotted to me to the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Speaker, I ask the Chair to notify me when I have consumed 10 minutes.

Inasmuch as this resolution is the outgrowth of a resolution that was passed by the Sixty-sixth Congress, I think it only fair to the new Members to spend a moment in giving something of the history of the proposition now under consideration. In the last Congress an effort was made on the part of certain of the Members of this body to provide some sort of a committee or tribunal that would do away with what had generally become known as the needless duplication and overlapping of activities in the administrative branches of the Government. We realized that the financial condition of the country was more or less menacing and that one of the most essential things to be done to reduce taxation was to reduce the expenses of the administrative branches of the Government. An investigation on the part of some of us had disclosed the fact that the departments were competing with each other; that practically every department had commissions or bureaus within it that were doing identically the same work that commissions and bureaus were doing in other departments. We came to the conclusion, after an investigation of some little time, that while the business of the United States as a Government was probably the biggest business in the world, it was likewise the worst-managed business in the world, as, for instance, we discovered that there were 19 different commissions and bureaus engaged in the building of good roads, that there were 21 bureaus scattered throughout the Government engaged in mapping and surveying, each one with its own personnel, and each personnel duplicating the work of other personnel in other departments. Consequently a resolution was passed by this House, and, as I recall it, it received the unanimous support of the membership of the House on both sides of the aisle, to appoint a joint commission to make a survey of the administrative branches of the Government to find wherein the evil existed, to ascertain the bureaus that were duplicating the work of other bureaus, and to do away with the unnecessary activities in order that we might cut down the personnel now on the Government's pay roll and thereby vastly decrease the expenses of the Government. The

resolution provided that the committee should consist of three members from the Senate and three members from the House. After the resolution was passed there were appointed upon the part of the Senate Senators SMOOT, HARRISON and WADSWORTH, and on the part of the House Dr. TEMPLE, of Pennsylvania, Judge MOORE, of Virginia, and myself. The committee began its work as soon as it could under the circumstances, because immediately after the passage of the resolution the adjournment came.

Some of the difficulties that we are going to encounter in this work have come to the attention of the committee. I say to the membership of the House that the work is monumental in character, and in my judgment it will take two years to make an adequate survey of the administrative branches of this Government and ascertain just what the evil is and where these duplications are. My idea was that the resolution should have been passed originally when the House was Republican and the administration Democratic, the thought I had in mind being that if there were antagonism between the administration and the Congress this committee would be able more effectually to work in decreasing the personnel in these departments. In that I failed. We have now come to the proposition where the committee is seeking to ascertain just where these duplications are, just what should be done away with, what bureau or commission should be taken from this department and either done away with entirely or combined with a bureau or commission in another department. We are now encountering an antagonism that I anticipated in the first instance. It is the psychology of these departments, whenever an energetic, ambitious, industrious man is at the head of one of them, that he immediately becomes obsessed with the importance of his department. The work of the Government is not the important thing, but the work of the department is the important thing, and the head of the department resents taking away from him any jurisdiction that the department already possesses, resents taking away from him any commission or bureau that has grown up through the years within his department. The thought on the part of the committee, the thought that was eventually communicated to the President, was that if the ear of the Executive were constantly attuned to the objections of the departmental heads to the taking away of this bureau or the taking away of that commission, to the removal of personnel from his department, we would save much embarrassment if we had some one working with the committee who represented the Executive, who would always have his ear, and who could give him first-hand information as to the necessity for what the committee desired to do.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. REAVIS. I intend only to use 10 minutes, and if I get through with this statement before I have consumed 10 minutes, I shall be very glad to yield.

It seemed to the committee that we must have access to the executive head of this Government, so as to put the President in the atmosphere of what the committee was doing, so as to keep him constantly advised as to the necessity from the standpoint of the committee, and that the committee would be working at a very great disadvantage if he were not placed in that attitude. It is apparent to every one on either side of the aisle that the work of this committee will be fruitless unless we can crystallize in legislation a remedy for the evils we discover. The original resolution provided that the committee should have the power to employ any assistants that it might need, to pay whatsoever salary we thought the assistant was entitled to, with the provision that we should report to the House and the Senate the necessity for this labor, the necessity for this assistance, and secure the approval of the House, so that the money might be paid out of the contingent fund of either the House or the Senate.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman now yield?

Mr. REAVIS. Not just at present. It occurred to the committee that in order to combat influences that would necessarily appear in the departments to retain jurisdiction and to retain bureaus and commissions, in order to convince the President of the necessity for the things which our hearings may disclose, we had to have some method of putting him constantly in touch with what the committee was doing, with the evils that we were disclosing, and with the necessity for the remedy.

The SPEAKER. The gentleman from Nebraska has consumed 10 minutes.

Mr. REAVIS. I shall consume a few minutes more, Mr. Speaker. The matter was, therefore, taken up with the Presi-

dent, and in response to an interview we had with him I received from him on the 16th day of last month this letter:

THE WHITE HOUSE,
Washington, April 16, 1921.

MY DEAR MR. REAVIS: Senator SMOOT sent to me a copy of a proposed resolution providing for Executive representative on your Joint Committee on Reorganization. I have noted the provisions of this resolution and have sent to Senator SMOOT an expression of my approval. I am glad to inclose to you a copy of the letter addressed to him.

I am sure I need not add that it will be very pleasing if this resolution can have early and favorable action.

Very sincerely, yours,

WARREN G. HARDING.

Hon. C. FRANK REAVIS,

House of Representatives, Washington, D. C.

That letter was written after the President's attention was called to the necessity that he be constantly advised as to what the committee was doing, and it was written because the President has a sincere desire to cooperate in the fullest measure with the Congress in effecting these economies so far as they may be effected. It is no desire on the part of the President to make a place for anyone. It is merely a desire that the Executive may cooperate with this committee in doing away with the useless duplication and overlapping of activities which are costing this Government hundreds of millions of dollars every year.

I reserve the remainder of my time.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. STAFFORD. I make the point of order that that is dilatory. Mr. Speaker, I contend no business has been transacted by the House since a quorum was developed.

Mr. RAYBURN. That is a reflection upon the speech of the gentleman from Nebraska.

Mr. STAFFORD. No reflection, but a compliment to the gentleman.

Mr. WALSH. Mr. Speaker, this is a motion to suspend the rules. Ordinary motions are not in order upon a motion to suspend the rules. We have just had a call of the House, which disclosed the presence of a quorum.

The SPEAKER. The Chair thinks a quorum ought to be present if a gentleman makes the point. The Chair will count. [After counting.] One hundred and eighty-five Members are present; not a quorum.

Mr. STAFFORD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Edmonds	Kennedy	Perlman
Ansorge	Fairchild	Kieess	Petersen
Aswell	Fairfield	Kincheloe	Pringle
Begg	Fields	Kindred	Rainey, Ala.
Bland, Ind.	Flood	Kitchin	Reber
Bond	Fordney	Klecicka	Reed, N. Y.
Bowers	Frear	Knight	Reed, W. Va.
Britten	Fuller	Kreider	Riordan
Brooks, Ill.	Gensman	Lampert	Sanders, N. Y.
Brooks, Pa.	Gilbert	Langley	Slemp
Browne, Wis.	Goldsborough	Larson, Minn.	Snyder
Buchanan	Gould	Layton	Strong, Pa.
Burke	Green, Iowa	Lazaro	Sullivan
Burness	Greene, Mass.	Lee, Calif.	Tague
Carew	Greene, Vt.	Lee, Ga.	Thomas
Clarke, N. Y.	Hardy, Colo.	Lee, N. Y.	Tinkham
Classon	Hardy, Tex.	Little	Tyson
Cockran	Haugen	Lufkin	Underhill
Codd	Hawes	Lyon	Vare
Cole	Hawley	Maloney	Voigt
Connolly, Pa.	Hogan	Mann	Walters
Copley	Houghton	Mead	Ward, N. Y.
Cramton	Hukriede	Mills	Ward, N. C.
Cullen	Hull	Morgan	Wheeler
Davis, Minn.	Husted	Newton, Mo.	Winslow
Dempsey	Hutchinson	O'Brien	Wise
Dickinson	Jacoway	Olpp	Young
Doughton	James, Va.	Parker, N. J.	
Drewry	Kahn	Patterson, Mo.	
Dunn	Kelley, Mich.	Perkins	

The SPEAKER. Two hundred and ninety-six Members have answered to their names, a quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. Without objection, it is so ordered—

Mr. GARRETT of Tennessee. Oh, no, Mr. Speaker; I demand a division.

The House divided.

The SPEAKER. The ayes seem to have it—

Mr. GARRETT of Tennessee. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. Obviously a sufficient number, and the yeas and nays are ordered.

The question was taken; and there were—yeas 255, nays 54, not voting 121, as follows:

YEAS—255.

Ackerman	Fitzgerald	McCormick	Ryan
Almon	Focht	McFadden	Sabath
Anderson	Foster	McKenzie	Sanders, Ind.
Andrews	Frear	McLaughlin, Mich.	Sandlin
Appleby	Free	McLaughlin, Nebr.	Schall
Arentz	Freeman	McLaughlin, Pa.	Scott, Tenn.
Atkeson	French	McPherson	Sears
Bacharach	Frothingham	McSwain	Shaw
Barbour	Funk	MacGregor	Shelton
Beck	Gahn	Madden	Shreve
Beedy	Garrett, Tenn.	Magee	Siegel
Benham	Gerhard	Mansfield	Sinclair
Bird	Glynn	Mapes	Sinnot
Bixler	Gorman	Martin	Sisson
Blakeney	Graham, Ill.	Mason	Slemp
Bland, Ind.	Graham, Pa.	Merritt	Smith
Boies	Griest	Michaelson	Smithwick
Bowers	Griffin	Michener	Snell
Bowling	Hadley	Miller	Speaks
Brennan	Haugen	Millsbaugh	Sprout
Briggs	Hays	Mondell	Stafford
Brooks, Ill.	Herrick	Montague	Steagall
Brown, Tenn.	Hersey	Montoya	Stedman
Burdick	Hickey	Moore, Ill.	Stephens
Burroughs	Hicks	Moore, Ohio	Stiness
Burton	Hill	Moore, Va.	Strong, Kans.
Butler	Himes	Moore, Ind.	Summers, Wash.
Cable	Hoch	Morgan	Summers, Tex.
Campbell, Kans.	Huddleston	Morin	Sweet
Campbell, Pa.	Hudspeth	Mott	Swing
Cannon	Hull	Mudd	Taylor, N. J.
Carter	Humphreys	Murphy	Taylor, Tenn.
Chalmers	Ireland	Nelson, A. P.	Temple
Chindblom	James, Mich.	Nelson, J. M.	Thompson
Christopherson	Jeffers	Nolan	Tillman
Clague	Johnson, S. Dak.	Norton	Tilson
Clouse	Johnson, Wash.	Ogden	Timberlake
Collier	Jones, Pa.	Oliver	Tincher
Collins	Kearns	Osborne	Towner
Colton	Keller	Overstreet	Treadway
Connell	Kelly, Pa.	Padgett	Upshaw
Cooper, Ohio	Kendall	Palge	Valle
Cooper, Wis.	Ketcham	Parker, N. J.	Vestal
Coughlin	King	Parker, N. Y.	Volgt
Crisp	Kinkaid	Parks, Ark.	Volk
Crowther	Kissel	Parrish	Volstead
Curry	Kline, N. Y.	Patterson, N. J.	Walsh
Dale	Kline, Pa.	Porter	Watson
Dallinger	Knutson	Pringley	Webster
Darrow	Kopp	Purnell	Wheeler
Davis, Minn.	Kraus	Raker	White, Kans.
Denison	Kunz	Ramseyer	White, Me.
Dickinson	Larsen, Ga.	Ransley	Williams
Dowell	Lawrence	Reavis	Williamson
Driver	Lea, Calif.	Reece	Wingo
Dunbar	Leatherwood	Rhodes	Woods, Va.
Dyer	Lehlbach	Ricketts	Woodyard
Ellis	Lineberger	Riddick	Wright
Elston	Linthicum	Roach	Wurzbach
Evans	London	Robertson	Wyant
Faust	Longworth	Robison	Yates
Fenn	Lowrey	Rodenberg	Zihlman
Fess	Luce	Rogers	
Fish	Lufkin	Rose	

NAYS—54.

Bankhead	Cullen	Johnson, Miss.	Rankin
Barkley	Davis, Tenn.	Jones, Tex.	Rouse
Bell	Deal	Kincheloe	Rucker
Black	Dominick	Kindred	Sanders, Tex.
Bland, Va.	Drane	Lanham	Stevenson
Blanton	Dupré	Lankford	Stoll
Box	Favrot	Logan	Swank
Brand	Fisher	McClintic	Ten Eyck
Brinson	Fulmer	McDuffie	Tyson
Bulwinkle	Gallivan	O'Connor	Ward, N. C.
Byrnes, S. C.	Garner	Oldfield	Weaver
Byrns, Tenn.	Garrett, Tex.	Park, Ga.	Wilson
Cantrill	Hammer	Pou	
Connally, Tex.	Hayden	Quin	

NOT VOTING—120.

Ansoorge	Dunn	Hukriede	Maloney
Anthony	Echols	Husted	Mann
Aswell	Edmonds	Hutchinson	Mead
Begg	Elliot	Jacoway	Mills
Bond	Fairchild	James, Va.	Newton, Minn.
Britten	Fairfield	Johnson, Ky.	Newton, Mo.
Brooks, Pa.	Fields	Kahn	O'Brien
Browne, Wis.	Flood	Kelley, Mich.	Olp
Buchanan	Fordney	Kennedy	Patterson, Mo.
Burke	Fuller	Kless	Perkins
Burtness	Gensman	Kirkpatrick	Perlman
Carew	Gilbert	Kitchin	Peters
Chandler, N. Y.	Goldsborough	Klecza	Petersen
Chandler, Okla.	Good	Knight	Radcliffe
Clark, Fla.	Goodykoontz	Kreider	Rainey, Ala.
Clarke, N. Y.	Gould	Lampert	Rayburn
Classon	Green, Iowa	Langley	Reber
Cockran	Greene, Mass.	Larson, Minn.	Reed, N. Y.
Codd	Greene, Vt.	Layton	Reed, W. Va.
Cole	Hardy, Colo.	Lazaro	Riordan
Connolly, Pa.	Hardy, Tex.	Lee, Ga.	Rosenbloom
Copley	Harrison	Lee, N. Y.	Rossdale
Cramton	Hawes	Little	Sanders, N. Y.
Dempsey	Hawley	Luhning	Scott, Mich.
Doughton	Hogan	Lyon	Snyder
Drewry	Houghton	McArthur	Steenerson

Strong, Pa.	Thomas	Vinson	Wise
Sullivan	Tinkham	Walters	Wood, Ind.
Taggart	Underhill	Ward, N. Y.	Woodruff
Taylor, Colo.	Vare	Winslow	Young

So the motion to dispense with further proceedings under the call was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. MANN with Mr. KITCHIN.

Mr. CONNOLLY of Pennsylvania with Mr. FIELDS.

Mr. NEWTON of Missouri with Mr. HAWES.

Mr. BEGG with Mr. RIORDAN.

Mr. FORDNEY with Mr. FLOOD.

Mr. RADCLIFFE with Mr. LEE of Georgia.

Mr. EDMONDS with Mr. ASWELL.

Mr. STEENERSON with Mr. HARDY of Texas.

Mr. WOODRUFF with Mr. GILBERT.

Mr. REED of West Virginia with Mr. CAREW.

Mr. BROWNE of Wisconsin with Mr. JACOWAY.

Mr. LANGLEY with Mr. VINSON.

Mr. KRIEDER with Mr. DOUGHTON.

Mr. HUTCHINSON with Mr. MEAD.

Mr. HUKRIEDE with Mr. COCKRAN.

Mr. LAMPERT with Mr. TAGUE.

Mr. GREEN of Iowa with Mr. THOMAS.

Mr. HARDY of Colorado with Mr. LYON.

Mr. PERLMAN with Mr. JAMES of Virginia.

Mr. PATTERSON of Missouri with Mr. LAZARO.

Mr. STRONG of Pennsylvania with Mr. WISE.

Mr. CRAMTON with Mr. RAYBURN.

Mr. FULLER with Mr. SULLIVAN.

Mr. ELLIOTT with Mr. HARRISON.

Mr. BROOKS of Pennsylvania with Mr. RAINEY of Alabama.

Mr. REBER with Mr. CLARK of Florida.

Mr. NOLAN with Mr. TAYLOR of Colorado.

Mr. KISS with Mr. O'BRIEN.

Mr. ANTHONY with Mr. BUCHANAN.

Mr. DUNN with Mr. JOHNSON of Kentucky.

Mr. DEMPSEY with Mr. GOLDSBOROUGH.

Mr. GOOD with Mr. DREWRY.

Mr. PRINGEY. Mr. Speaker, I wish to vote.

The SPEAKER. The Chair will state, inasmuch as a part of the Members may not be familiar with the rule, that there is one to the effect that unless a Member votes when his name is called he can not vote on the roll call. But the theory being that the Clerk may have neglected to call a Member's name, and, of course, in that case he having had no opportunity to vote ought to be allowed a further opportunity. So, if a man was listening and did not hear his name called, he can vote. Was the gentleman from Oklahoma present and listening when his name was called?

Mr. PRINGEY. I was.

The SPEAKER. The gentleman will be recorded.

The name of Mr. PRINGEY was called, and he answered "Yea."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. That motion is not in order.

Mr. GARRETT of Tennessee. Why is it not?

The SPEAKER. Because the rule so provides. It is as follows:

Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereof is announced he shall not entertain any other motion until the vote is taken on suspension.

The gentleman from Tennessee [Mr. GARRETT] is recognized for 20 minutes.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. SUMNERS] may control the time.

Mr. SUMNERS of Texas. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. GARNER].

Mr. GARNER. Mr. Speaker and gentlemen of the House, in five minutes it would be impossible to point out the ill effects of the passage of this resolution. This resolution would not be before the House if it had not been that the President expressed a wish for its passage. There are not 10 men in the House of Representatives at the present time who originally would favor this legislation, and I venture the assertion that the members of the Committee on the Reorganization of the Departments on the part of the House did not initiate it.

Gentlemen, you are going to have a budget bill reported from your Budget Committee passed within a week. You gentlemen

probably know—the older Members do—what the provisions of that bill were, as you passed it at the last session. It provides for the President to organize an executive budget, a permanent bureau, located in the executive department, and under the jurisdiction and direction of the President of the United States. It provides for one employee at \$10,000 per annum, and for an assistant at \$7,500 per annum, and for many other employees. A total appropriation of \$200,000 will be made.

Now, when you pass this resolution you are going very materially, in my judgment, to complicate the work of that executive bureau, and I am not willing to admit on the part of the House of Representatives that three of its Members, joined by three on the part of Senate, will be unable to function and unable to look into the executive branch of the Government with a view to dispensing with certain bureaus without the assistance and advice of the President of the United States. [Applause on the Democratic side.]

Why, gentlemen, there is not in the history of the legislation of this Government a resolution similar to this.

Who ever heard of a committee of the House and a committee of the Senate going to the President of the United States and asking him to appoint a clerk and to pay that clerk out of the contingent funds of the House and Senate? It is something unheard of in the history of legislation. And why do you do it? You can not say that you need this clerk. If you do need him, you can employ him. But the press of the country report—and I take it that it is true, because no one has denied it—that the President desires a man from Ohio to supervise your work, to direct you in the methods by which you shall conduct it.

Now, if the joint committee of the House and Senate is going to make an efficient investigation of the departments of the Government, the President is going to say to that committee, "Gentlemen, do not go any further in this direction, because it might be embarrassing," and therefore you will desist. Let us illustrate it: There will be seven members of this committee now, after you add one from the Executive, because the resolution says he shall cooperate with the committee. I do not know whether he will preside or vote, or what his activities may be, but he will come in and tell you how to function. Suppose your views do not agree with his, or suppose, forsooth, when you adopt the budget the bureau of the budget in the executive branch of the Government submits its report in the next two years. The gentleman from Nebraska [Mr. REAVIS] says it will take about two years to do its work. Suppose their report does not agree with the President's bureau. Suppose they recommend to the President of the United States that he abolish certain bureaus or coordinate certain functions of the Government, and your committee, joined by the representative of the Executive—this elaborate organization that is provided for in this resolution—recommends another procedure by the House of Representatives and the Senate. Which one are we to take? Which one is to predominate in its recommendations to Congress? Will it be the President's budget committee or the joint committee on the part of the House and Senate, joined by an Executive member?

I am going to predict, gentlemen, that before the end of this Congress, before you gentlemen make your report, and before we get any legislation on the subject, the President is going to rue the hour in which he asked you to make a place for one of his citizens from Ohio. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. SUMNERS of Texas. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

The SPEAKER. The gentleman from Tennessee is recognized for five minutes.

Mr. BYRNS of Tennessee. Mr. Speaker, I am in favor of any proposition that seeks to cut out duplication and save the money of the people, but I am opposed to Congress, under the guise of seeking to cut out duplication, creating additional duplication in the public service and adding to the burdens of the people by creating unnecessary and high-salaried officials. [Applause on the Democratic side.]

When the resolution providing for the Reorganization Committee was passed last December it was stated and understood by Congress that it was going to cost the Treasury very little money, because it was heralded then and has been heralded since in the press that the work was going to be done by the members of that commission, who were Members of Congress, by working at night and overtime. It was expected that it would cost very little, because the resolution actually provided that whatever expenses were incurred were to be paid out of the contingent funds of the House and Senate.

In addition to that, it was stated that where additional services were required they would call upon the Bureau of Efficiency, and that is exactly what they have been doing, because only last week the Chief of the Bureau of Efficiency was before the subcommittee on deficiencies, of which I am a member, and he stated, as I recollect, that he had been doing work for the Reorganization Committee and had already expended, I think it was, \$16,000 out of his present appropriation for that purpose. He was there asking the Committee on Appropriations to recommend an additional deficiency appropriation of \$10,000 in addition to the \$135,000 which he has had this fiscal year, and he based his plea upon the fact that it was required to enable him to perform work during the balance of the fiscal year for this Reorganization Committee.

I said this would create additional duplication. You have a Bureau of Efficiency. What does the law provide that that Bureau of Efficiency shall do? It provides that the Bureau of Efficiency shall investigate the—

Administrative needs of the service relating to personnel in the several executive departments and independent establishments, required by the legislative, executive, and judicial appropriation acts for the fiscal years 1913 and 1914, respectively, and investigate duplication of statistical and other work and methods of business in the various branches of the Government service.

What does the resolution creating the Reorganization Committee provide? It provides that it shall make a survey—

Of the administrative services of the Government for the purpose of securing all pertinent facts concerning their powers and duties, their distribution among the several executive departments, and their overlapping and duplication of authority; also to determine what redistribution of activities should be made among the several services, with a view to the proper correlation of the same, and what departmental regrouping of services should be made, so that each executive department shall embrace only services having close working relation with each other and ministering directly to the primary purpose for which the same are maintained and operated, to the end that there shall be achieved the largest possible measure of efficiency and economy in the conduct of Government business.

Now, the gentleman from Texas [Mr. GARNER] told you a moment ago—

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. BYRNS of Tennessee. No; I regret that I have not the time. The gentleman from Texas [Mr. GARNER] told us that within a week or so we would pass a budget law, something that I hope will be put upon the statute book very soon. What does that budget bill as passed by the Senate and as proposed in this House provide? Listen. It creates, as the gentleman said, a bureau of the budget to be under the sole direction of the President of the United States. It provides a director of the budget at \$10,000 a year and an assistant director at \$7,500 a year, and in addition to that it places at his disposal \$225,000 to employ a competent force under the director, to make a detailed study of the departments and establishments for the purpose of enabling the President to determine "(1) the existing organization, activities, and methods of business of such departments or establishments, (2) the appropriations therefor, (3) the assignment of particular activities to particular services, or (4) the regrouping of services." Is there not a clear duplication in the work to be performed by these three different agencies?

My friends, you have told the people that you are in favor of cutting out duplication and saving the people's money, but you are right here, by the passage of this resolution, duplicating the service that you expect of this bureau of the budget which you are creating, to cost \$225,000 a year. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SUMNERS of Texas. I yield to the gentleman from Tennessee [Mr. BYRNS] two minutes more.

Mr. BYRNS of Tennessee. They told us last December that they would not require any particular appropriation for the purposes of this commission. Why is it now that five months after that commission was created they come in here and ask that a position be created to be filled by the President at \$7,500 a year? Is he to do the work of the commission? He is to be appointed from the State of Ohio. I have no particular criticism of that, but has he any special knowledge of the departments here? Has he as much knowledge as the Bureau of Efficiency, which for several years has been making investigations of your departments, and which now is under the direct control and supervision of the President of the United States, and for which you are appropriating \$135,000 during this year and will probably allow a further deficiency of \$10,000 for the express purpose of aiding this Reorganization Committee?

Why, gentlemen, last fall we heard claims and promises of economy. We have heard much about duplication of service,

and I appeal to you not to refute those claims of economy which were made in the campaign last fall by the passage of this resolution creating what I said at the outset was an unnecessary office. Let this commission do the work which they promised Congress they would do and make their report, and then let Congress pass upon it. You appreciate the difficulty you are going to have if you give the President a \$7,500 man to act with this commission and then provide a budget bureau with a \$10,000 man at the head of that. As the gentleman from Texas [Mr. GARNER] says, what are you going to do if they conflict in the recommendations which they will make to the House? I hope that in the interest of economy you will vote down this resolution and this motion to suspend the rules. [Applause.]

Mr. GARRETT of Tennessee: I make the point of order that there is no quorum present.

The SPEAKER. The Chair anticipated that the gentleman would be likely to make that point, and he has just counted the House, and there is a quorum present.

Mr. SUMNERS of Texas. Mr. Speaker, will the gentleman from Nebraska use some of his time?

Mr. REAVIS. There will be but two speeches on this side.

Mr. SUMNERS of Texas. We have only one more speech on this side.

Mr. REAVIS. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman from Nebraska has eight minutes remaining.

Mr. REAVIS. I yield three minutes to the gentleman from Virginia [Mr. MOORE].

The SPEAKER. The gentleman from Virginia [Mr. MOORE] is recognized for three minutes. [Applause.]

Mr. MOORE of Virginia. Mr. Speaker, I have the unsought honor of being a member of the joint committee, and I will vote for this resolution if I can be present when the vote is taken. But it may be impossible for me to remain.

I had not supposed that the resolution would be made a party question, nor did I think it would stir up any excitement. This is a plain statement of the matter—the committee is charged with a great responsibility and the President has recognized that fact. The President is extremely anxious to cooperate with the committee and has chosen and suggested the method of doing it expressed in the resolution. I think that his cooperation will be extremely helpful to the committee. The committee is going to find itself constantly examining and investigating in the closest way the conditions in the executive departments, and the cooperation of the President will be a very great aid to the committee in doing it.

I have only time to mention one fact further, namely, that this resolution was considered in the Senate on the 19th day of last month, and there received unanimous approval; that the Senate minority member of the committee, Senator HARRISON, of Mississippi, not only voted his approval but expressed his approval in a speech, and that the very able and distinguished Democrat who was at one time the leader of this House, Senator UNDERWOOD, in even more extended remarks indicated the reasons why, in his opinion, it was proper to pass the resolution. [Applause.]

Now, Mr. Speaker, I do not concede, with great respect for my distinguished friend from Tennessee [Mr. GARRETT], that there is any good reason why there should be any opposition to the resolution, and I have no hesitation in giving it my support.

Mr. SISSON. Mr. Speaker, it is absolutely essential that the man who votes for the passage of this resolution, on either side of the House, must either have some support outside of his own reasoning powers or he must have it by virtue of the letter of the President demanding it. I do not believe that with the Executive letter left out of this debate you could get 10 Republican Members of this House to vote for the passage of the resolution.

Now, if there is one thing that I am afraid of more than another it is the domination of the legislative branch of the Government by the Executive. [Laughter on the Republican side.] Oh, you may laugh and jeer as much as you please on the Republican side, intimating by it that the Democrats were controlled in the last House by the Executive. I condemn that Executive control by one President just as much as I do by the other, and God knows I wish you felt that way. But you do not. You bend the neck to Harding's yoke, but if this request had come from a Democratic President you would have wanted to impeach him. Why do not you now act as you talked a year ago? If you did this resolution would not stand a ghost of a show to pass. Why is it that you do not have Executive representation on the Appropriations Committee for the purpose of insuring that there shall not be any Executive

veto? If there is one thing that this Government should be always sure to guard against, it is keeping absolutely separate the executive, legislative, and judicial branches of the Government. The legislative branch of the Government should make the laws, the judiciary should construe the laws, and the executive should enforce them. Thomas Jefferson said that the separation of the three branches of Government and keeping them separate was the palladium of American liberty.

Now, this is a small matter you may say, but the great trouble about it is that I am afraid that it is for the purpose of settling some political differences and political embarrassment in the State of Ohio. [Cries of "oh, no" on the Republican side.]

I hear you say no, but I can name the man who is slated for this job.

A MEMBER. We know him.

Mr. SISSON. You Republican leaders all know it is for the purpose of settling political differences up in Ohio and you propose to put Mr. Brown in this place with the idea that this will settle some embarrassment of the President and will settle some political differences in Ohio.

Mr. LONGWORTH. There are no political differences in Ohio. [Laughter.]

Mr. SISSON. I am sure there are no political differences if you can make a place for Mr. Brown and keep him out of the race for the United States Senate; then the gentleman from Ohio, Mr. LONGWORTH, and the gentleman from Ohio, Mr. FESS, can fight it out here among themselves.

Mr. REAVIS. Will the gentleman yield for a brief question?

Mr. SISSON. No; I have not the time; I have some things I want to say. When you look at the resolution you will find that it provides that the Executive shall have representation here. I tell you as a matter of fact my friend from Ohio Mr. FESS is going to have a hard time if he beats Mr. LONGWORTH for the United States Senate; you are both going to have a lively hot time unless one of you get the assistance of the Executive.

This is the first time in the history of this Republic that the President of the United States was ever given the power to elect a Member of Congress and allowed to put him on a certain committee. Oh, you may ask, is he going to vote? What is he going to do? I do not know, nor do you. He may preside and vote in case of a tie. Is he going to advise? If so, is he going to give you instruction as to what to do? Will you later let him come on the floor? Will you finally allow him a vote and have all the rights of a Representative? What is the purpose of putting him on this committee? He lives in Ohio, and what does he know about the difficulties in the reorganization of the Government? Take my friend WALSH, and he could give him cards and spades on reorganizing the departments and classifying clerks, for he knows something about the Government. Take the gentleman from Wyoming [Mr. MONDELL]; he could open up a school and teach this man, and all such as he, something about government. Take the gentleman from Indiana [Mr. WOOD] and put him in his place; he has the right method, he is vigorous, he has the ability to work, and he believes in economy, and it would not cost the Government a cent. Take the gentleman from Illinois [Mr. MANN], and he could do something. These men have been here for years, and they understand something about the departments of Government. This man that you propose to put on the committee knows nothing on earth about it. It will take him years to know what every member of this committee already knows. Yet you propose to put him down here as an adviser, as a counselor and controller of six experienced Members of Congress, and expect him to give you light on reorganization. Gentlemen, this theory will not hold water. You know that he will do no good. It will add one more highly paid man to the pay roll. Is this your method of cutting down expenses and cutting off useless employees?

This is a precedent, and it will not be long before the President will begin to say in the future, "I am interested very much in certain legislation coming before the Committee on Appropriations—the subcommittee having in charge the legislative, executive, and judicial appropriation bill—and in view of the fact that that bill deals with everything from the President down to a charwoman, I think the Executive ought to have a representative on that committee to sit and advise and counsel with you," and they will get another in the Senate. Then the Committee on the Judiciary will have to have an Executive representative to sit on it representing the President. Gentlemen, you are mingling the powers of Government, which is an admission on the part of the Congress that the membership elected by the people is unable to function.

It has been suggested by the proponents of this bill that by having this man you can avoid Executive veto. True, you may avoid Executive vetoes, if you always have men to tell you what the Executive wants to do, but when you do it you have absolutely destroyed the independence of the legislative branch of the Government, and here in this body, the representatives of the people, repose the sanctity and sacredness of our liberties. They are reposed in you and not in the Executive. The whole Government is constructed upon the theory that you, and you alone, as the representatives of the people, should determine legislation. The only thing under the Constitution that the President has to do with the legislative branch of the Government is to deliver to it recommendations, either orally or in writing—and some have delivered them orally and some in writing—and to give the Representatives information about the condition of the executive branch of the Government and make such recommendations as he sees fit and proper. When this is done he has gone the length of his cable tow. But this is done in the open, aboveboard. It is where all the people can see and hear; it is where the whole world can know what the President is doing. There should be no star-chamber proceedings in this Government. But when you do what you are proposing to do here all of you Republicans know that the President had a joint interview with certain Members of this body or another, and they come with innocence on their brows and assume responsibility for the whole proceeding, when as a matter of fact they are acting under orders. America will condemn such star-chamber proceedings. You will pass this bill under suspension of rules, when you know that it can not be amended or debated, and when you do you concede that the Executive has a right to have representation on these committees. I shall vote against this resolution. It is revolutionary and dangerous.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. GARRETT of Tennessee. Mr. Speaker, may I inquire if the Speaker has read my mind recently?

The SPEAKER. The Chair has not.

Mr. GARRETT of Tennessee. I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] There is a quorum present.

Mr. REAVIS. Mr. Speaker, I yield the remainder of my time to the gentleman from Pennsylvania [Mr. TEMPLE].

The SPEAKER. The gentleman from Pennsylvania is recognized for five minutes.

Mr. TEMPLE. Mr. Speaker, I have been very much interested in the debate on this question, particularly in the opposition to the proposal. The most serious objection comes from Democratic members of the committee which prepared the budget plan, and it is based upon their belief that there will be a duplication of work between the budget bureau and the Committee on Reorganization. I have had the honor to be a member of the special committee that prepared the budget legislation ever since that committee was created, and I also have the honor to be a member of the Committee on Reorganization. I have seen this from both angles. I wish to address myself now for a little while to the question raised by these gentlemen.

The particular work of the budget commission, to be created, I hope, by the bill that will pass here next week, is the preparation of estimates of expenditures. As an incident to that, they will inevitably find out all of the duplication there is in the governmental service, and that commission ought to have the authority, and will have the authority, if the budget bill passes, to point out and ask for a remedy for all of the duplications that they discover in preparing the estimates. That is not a function they will perform once for all; it is a continuing function. That is a duty that will be theirs as long as the budget system prevails. Inevitably duplication will arise, even after we have made a general readjustment. I was talking not long ago with the president of one of the great railroad systems. He said that, of course, there will be duplications in any large and complicated system, and he told me an incident in his own experience. They were preparing to rebuild one of their terminals, and they put their construction engineers to work gathering data. They worked for several weeks before they realized that in the offices of their maintenance engineers they already had the data which the construction engineers were now attempting to get. Duplication will arise in any large and complicated business.

We now undertake a general reorganization of the bureaus and departments of the executive branch of the Government. Congress has appointed a special committee, because we want the work done more quickly than will be possible if we depend on the budget bureau, whose particular business is to prepare the estimates. After this general committee gets the work done

the Budget Committee will keep it up to date, functioning, as the bill reads, from time to time and as directed by the President. That is a constant part of their work. It is not the same kind of work that the Reorganization Committee is to do now on a large scale. It is not one general review and reorganization scheme, duplicating the work of this committee; but if it were, it is too late to remedy that, unless by discontinuing the Committee on Reorganization. It is not the appointment of this representative of the Executive on the committee that is going to make duplication. If there is to be any duplication, it is in the fact that the two committees exist.

The appointment of an Executive representative does not add anything to any real or supposed duplication. The question arises, also, whether the Executive has any right to be represented on this committee. The committee is organized for the purpose of investigating, making a general survey, and suggesting a regrouping of all of the executive branches of the Government. In every committee that makes appropriations, or in every legislative committee that drafts a bill, the committee asks for the advice of men who are in the executive departments. Read the committee hearings of any committee and you will find that constantly done, and if the legislative committees do not avail themselves of the knowledge of the executive workings by calling the members of the departments in, then they have not done their duty. It is much more important to have the advice of the President in work that vitally affects every agency of the executive branch. We want the cooperation of the Executive, and I hope that you will give it to us by passing this resolution.

The SPEAKER. All time has expired. The question is on suspending the rules and passing the joint resolution.

Mr. GARRETT of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 223, nays 98, not voting 108, as follows:

YEAS—223.

Ackerman	Faust	Larson, Minn.	Ricketts
Anderson	Fenn	Lawrence	Riddick
Andrews	Fess	Lea, Calif.	Roach
Anthony	Fish	Leatherwood	Robertson
Appleby	Fitzgerald	Leibach	Robison
Arentz	Focht	Linsberger	Rodenberg
Bacharach	Fordney	Little	Rogers
Barbour	Foster	Longworth	Rose
Beck	Frear	Luce	Ryan
Benham	Freeman	Lufkin	Sanders, Ind.
Bird	French	McCormick	Sanders, N. Y.
Bixler	Frothingham	McFadden	Schall
Bland, Ind.	Funk	McLaughlin, Mich.	Shaw
Boies	Gahn	McLaughlin, Nebr.	Shelton
Bowers	Gensman	McLaughlin, Pa.	Shreve
Brennan	Gerner	McPherson	Siegel
Brooks, Ill.	Glynn	MacGregor	Sinclair
Brown, Tenn.	Goodykoontz	Madden	Sinnot
Burdick	Gorman	Magee	Snell
Burroughs	Graham, Ill.	Mapes	Speaks
Burness	Graham, Pa.	Mason	Sprul
Burton	Green, Iowa	Merritt	Stafford
Butler	Greene, Vt.	Michaelson	Stephens
Cable	Griest	Michener	Stiness
Campbell, Kans.	Hadley	Miller	Strong, Kans.
Campbell, Pa.	Harrison	Millsbaugh	Summers, Wash.
Cannon	Haugen	Mondell	Sweet
Chalmers	Hays	Montague	Swing
Chandler, N. Y.	Herrick	Montoya	Taylor, N. J.
Chandler, Okla.	Hersey	Moore, Ill.	Taylor, Tenn.
Chidbloom	Hickey	Moore, Ohio	Temple
Christopherson	Hicks	Moore, Va.	Thompson
Clague	Hill	Moore, Ind.	Tilson
Clouse	Himes	Morgan	Timberlake
Codd	Hoch	Morin	Tinecher
Colton	Hogan	Mott	Towner
Connell	Hull	Mudd	Treadway
Connolly, Pa.	Ireland	Murphy	Underhill
Cooper, Ohio	James, Mich.	Nelson, A. P.	Vaile
Coughlin	Jeffers	Nelson, J. M.	Vestal
Crowther	Johnson, S. Dak.	Newton, Minn.	Voigt
Curry	Johnson, Wash.	Nolan	Volk
Dale	Jones, Pa.	Norton	Volstead
Dallinger	Kearns	Ogden	Walsh
Darrow	Keller	Osborne	Wason
Davis, Minn.	Kelly, Pa.	Palge	Watson
Dickinson	Ketcham	Parker, N. J.	Webster
Dowell	King	Parker, N. Y.	Wheeler
Dunbar	Kinkaid	Patterson, Mo.	White, Kans.
Dyer	Kirkpatrick	Patterson, N. J.	White, Me.
Echols	Kissel	Porter	Williams
Elliot	Kline, N. Y.	Purnell	Williamson
Ellis	Kline, Pa.	Ramseyer	Wurzbach
Elston	Knutson	Ransley	Wyant
Evans	Kopp	Reavis	Zihlman
Fairfield	Kraus	Reece	

NAYS—98.

Almon	Brinson	Collier
Aswell	Bulwinkle	Collins
Bankhead	Byrnes, S. C.	Connally, Tex.
Barkley	Byrnes, Tenn.	Crisp
Bell	Cantrill	Cullen
Black	Carter	Davis, Tenn.

Deaf
Dominick
Drane
Driver
Dupré
Favrot
Fisher
Fulmer
Gallivan
Garner
Garrett, Tenn.
Garrett, Tex.
Griffin
Hammer
Hayden
Huddleston
Hudspeth
Humphreys
Johnson, Miss.

Jones, Tex.
Kincheloe
Kindred
Kunz
Lanham
Lankford
Larsen, Ga.
Lazaro
Linthicum
Logan
London
Lowrey
McClintie
McDuffie
McSwain
Mansfield
Martin
Mead
Oldfield

Oliver
Overstreet
Padgett
Park, Ga.
Parks, Ark.
Parrish
Pou
Quin
Raker
Rankin
Rayburn
Rouse
Rucker
Sabath
Sanders, Tex.
Sandlin
Sears
Sisson
Smithwick

Steagall
Stedman
Stevenson
Stoll
Summers, Tex.
Swank
Ten Eyck
Tillman
Tyson
Upshaw
Vinson
Ward, N. C.
Weaver
Wilson
Wingo
Woods, Va.
Wright

NOT VOTING—108.

Ansorge
Atkeson
Beedy
Begg
Blakeney
Bond
Britten
Brooks, Pa.
Browne, Wis.
Buchanan
Burke
Carew
Clark, Fla.
Clarke, N. Y.
Classon
Cockran
Cole
Cooper, Wis.
Copley
Cramton
Dempsie
Denison
Doughton
Drewry
Dunn
Edmonds
Fairchild

Fields
Flood
Free
Fuller
Gilbert
Goldsborough
Good
Gould
Greene, Mass.
Hardy, Colo.
Hardy, Tex.
Hawes
Hawley
Houghton
Hukriede
Husted
Hutchinson
Jacoway
James, Va.
Johnson, Ky.
Kahn
Kelley, Mich.
Kendall
Kennedy
Kieess
Kitchin
Klecza

Knight
Kreider
Lampert
Langley
Layton
Lee, Ga.
Lee, N. Y.
Luhning
Lyon
McArthur
McKenzie
Maloney
Mann
Mills
Newton, Mo.
O'Brien
O'Connor
Olpp
Perkins
Perlman
Peters
Petersen
Pringle
Radcliffe
Rainey, Ala.
Reber
Reed, N. Y.

Reed, W. Va.
Rhodes
Riordan
Rosenbloom
Rossdale
Scott, Mich.
Scott, Tenn.
Slemp
Smith
Snyder
Steenerson
Strong, Pa.
Sullivan
Tague
Taylor, Colo.
Thomas
Tinkham
Vare
Walters
Ward, N. Y.
Winslow
Wise
Wood, Ind.
Woodruff
Woodyard
Yates
Young

EXTENSION OF REMARKS.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent to extend and revise my remarks on Senate joint resolution No. 20.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. TEMPLE. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Pennsylvania makes the same request. Is there objection? [After a pause.] The Chair hears none.

ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to address the House for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, some days ago when it seemed altogether probable that we would dispose of the Army bill to-day, or earlier, tentative promises were made that we would take up the budget bill for consideration to-morrow morning. We have not completed consideration of the Army bill; but I think so many gentlemen have understood that the budget bill was to come up to-morrow that, in view of that understanding, it is advisable that it should be taken up in the morning and the Army bill go over. I make this statement in order that gentlemen may know that the rule for the consideration of the budget legislation will be presented in the morning. The Army bill will probably be taken up on Thursday, Calendar Wednesday intervening.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 9 minutes p. m.) the House adjourned until Tuesday, May 3, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

90. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of \$5,000 required by the Smithsonian Institution for printing and binding, fiscal year 1921, to cover the Annual Report of the American Historical Association (H. Doc. No. 62); to the Committee on Appropriations and ordered to be printed.

91. A letter from the Secretary of the Navy, transmitting draft of proposed legislation to establish rates of base pay for enlisted men of the insular force of the Navy; to the Committee on Naval Affairs.

92. A letter from the Secretary of the Navy, transmitting draft of proposed legislation to correct the status of certain enlisted men of the Navy and Naval Reserve Force, and for other purposes; to the Committee on Naval Affairs.

93. A letter from the Secretary of the Navy, transmitting draft of proposed legislation to repeal certain provisions of the deficiency act approved June 5, 1920; to the Committee on Naval Affairs.

94. A letter from the Secretary of the Navy, transmitting draft of proposed legislation to establish the commissioned warrant and warrant grades of chief electrician, electrician, chief radio electrician, and radio electrician in the United States Navy; to the Committee on Naval Affairs.

95. A letter from the Secretary of the Navy, transmitting draft of proposed legislation to increase the efficiency and provide for the proper organization and administration of the Naval Reserve Force; to the Committee on Naval Affairs.

96. A letter from the Secretary of the Treasury, transmitting estimate of appropriation in the sum of \$32,000 required by the Treasury Department in connection with the discontinuance of the subtreasury at Baltimore, Md.; to the Committee on Expenditures in the Treasury Department.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 5237) granting a pension to Bessie P. Leffel; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3433) granting a pension to Katherine Schone; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

So, two-thirds having voted in favor thereof, the rules were suspended and the Senate joint resolution was passed.

The Clerk announced the following additional pairs:

General pairs:

Mr. McARTHUR with Mr. TAYLOR of Colorado.

Mr. KENDALL with Mr. O'CONNOR.

Mr. ATKESON with Mr. BUCHANAN.

Mr. WOOD of Indiana with Mr. FIELDS.

Mr. RHODES with Mr. FLOOD.

Mr. VARE with Mr. THOMAS.

The result of the vote was announced as above recorded.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent that the title of the resolution be amended so as to conform to the body of the resolution.

The SPEAKER. That was amended in the vote.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DENISON, for three days, on account of official business.

To Mr. OLIVER, until Friday, May 6, on account of service with Board of Visitors.

To Mr. NEWTON of Minnesota, until May 6, on account of serving with Board of Visitors to United States Naval Academy.

To Mr. HUMPHREYS, for five days, on account of official business.

To Mr. SNYDER, indefinite, on account of important business.

SENATE BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 407. An act granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio.

APPOINTMENT TO BOARD OF VISITORS AT ANNAPOLIS.

The SPEAKER. Mr. McARTHUR having resigned as a member of the Board of Visitors to Annapolis, the Chair appoints the gentleman from Pennsylvania, Mr. DARROW, in his stead.

MODIFICATION OF TITLE OF SENATE JOINT RESOLUTION 30.

Mr. GARRETT of Tennessee. Mr. Speaker, as I understood the request of the gentleman from Nebraska [Mr. REAVIS]—

The SPEAKER. The Chair thought it was not necessary. The modification was made in the motion to suspend the rules. Mr. GARRETT of Tennessee. I thought so.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BIXLER: A bill (H. R. 5616) granting the consent of Congress to the commissioners of Venango County to construct a bridge across the Allegheny River at Oil City, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. WALSH (by request): A bill (H. R. 5617) to establish a bureau for the study of criminal, pauper, and defective classes; to the Committee on the Judiciary.

By Mr. WATSON: A bill (H. R. 5618) extending the period during which the prosecutions of certain violations of the selective service act may be brought; to the Committee on the Judiciary.

By Mr. WILSON: A bill (H. R. 5619) providing for the extension and enlargement of the post office and court building at Monroe, La.; to the Committee on Public Buildings and Grounds.

By Mr. HAWLEY: A bill (H. R. 5620) to aid in the construction of the Roosevelt Highway along the Pacific coast of Oregon; to the Committee on Roads.

By Mr. HULL: A bill (H. R. 5621) for the disposal of certain lands in the town sites of Fort Madison and Bellevue, Iowa; to the Committee on the Public Lands.

By Mr. JOHNSON of Washington: A bill (H. R. 5622) providing for the appraisal and sale of the Vashon Island Military Reservation, in the State of Washington, and for other purposes; to the Committee on the Public Lands.

By Mr. QUIN: A bill (H. R. 5623) to provide an appropriation to mark the grave of Gen. Thomas Hinds; to the Committee on the Library.

By Mr. SABATH: A bill (H. R. 5624) providing for the appointment of an additional judge in the northern district of the State of Illinois; to the Committee on the Judiciary.

By Mr. BOX: A bill (H. R. 5625) for the erection of a public building at Lufkin, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5626) for the acquisition of a site for a post-office building at Jacksonville, Tex., and making an appropriation therefor; to the Committee on Public Buildings and Grounds.

By Mr. BEGG: A bill (H. R. 5627) authorizing the Secretary of the Interior to compensate veterans of the Civil War for time served in Confederate prisons; to the Committee on Invalid Pensions.

By Mr. CLARK of Florida: A bill (H. R. 5628) to prohibit certain persons engaging in business in the District of Columbia and the Territories of the United States, and to punish its violation; to the Committee on the Judiciary.

Also, a bill (H. R. 5629) creating and establishing an inferior district court in each district of the United States of America and defining the jurisdiction and providing for the appointment of judges for said courts, and for other purposes; to the Committee on the Judiciary.

By Mr. McSWAIN: A bill (H. R. 5630) to amend paragraph 5 of section 1 of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. FESS: A bill (H. R. 5631) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919; to the Committee on Education.

By Mr. VOLSTEAD: A bill (H. R. 5632) to further protect interstate and foreign commerce against bribery and other corrupt trade practices; to the Committee on the Judiciary.

By Mr. PORTER: Resolution (H. Res. 78) requesting the Secretary of State to furnish the House of Representatives with information concerning oil fields in Mexico and Central America; to the Committee on Foreign Affairs.

By Mr. HUDSPETH: Joint resolution (H. J. Res. 99) to suspend the requirements of annual assessment work on mining claims during the years 1920 and 1921; to the Committee on Mines and Mining.

By Mr. BIXLER: Joint resolution (H. J. Res. 100) authorizing and directing the Secretary of War to enter and record the name of Roe Reisinger, alias J. Monroe Reisinger, on the Army and Navy medal of honor roll; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 5633) for the relief of Frank H. Haddock; to the Committee on Military Affairs.

By Mr. BOX: A bill (H. R. 5634) for the relief of Frank William Brown and Clara Bryan Brown; to the Committee on Claims.

Also, a bill (H. R. 5635) for the relief of T. J. Ball; to the Committee on Claims.

Also, a bill (H. R. 5636) authorizing and directing the Secretary of War to donate and deliver to each of the 14 counties of the second congressional district of Texas one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 5637) granting a pension to Emma Potts; to the Committee on Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 5638) granting an increase of pension to Belle Harbert; to the Committee on Pensions.

By Mr. HAYDEN: A bill (H. R. 5639) for the relief of Walter Runke; to the Committee on Indian Affairs.

By Mr. HAWLEY: A bill (H. R. 5640) granting an increase of pension to Winifred Wilson Adams; to the Committee on Invalid Pensions.

By Mr. HUDSPETH: A bill (H. R. 5641) granting a pension to Adolph Specht; to the Committee on Pensions.

Also, a bill (H. R. 5642) for the relief of Mrs. Harold G. Halstead; to the Committee on Claims.

Also, a bill (H. R. 5643) for the relief of A. C. Russell; to the Committee on Claims.

Also, a bill (H. R. 5644) for the relief of Casimira Mendoza; to the Committee on Claims.

Also, a bill (H. R. 5645) for the relief of the First State Bank of Kerrville, Kerr County, State of Texas; to the Committee on Claims.

Also, a bill (H. R. 5646) for the relief of W. F. Payne; to the Committee on Claims.

Also, a bill (H. R. 5647) for the relief of Pettus H. Hemphill; to the Committee on Military Affairs.

Also, a bill (H. R. 5648) for the relief of Ike T. Boyles; to the Committee on Claims.

Also, a bill (H. R. 5649) for the relief of Benito Viscaina and Maria Viscaina; to the Committee on Claims.

Also, a bill (H. R. 5650) for the relief of E. W. King; to the Committee on Claims.

By Mr. HUMPHREYS: A bill (H. R. 5651) to survey the Yazoo River, Miss., with a view to the control of its floods; to the Committee on Flood Control.

By Mr. JOHNSON of Washington: A bill (H. R. 5652) to carry out the findings of the Court of Claims in the case of Omar H. Case; to the Committee on War Claims.

By Mr. KENDALL: A bill (H. R. 5653) granting a pension to Loney Ward; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 5654) granting a pension to Mell Gordon; to the Committee on Pensions.

By Mr. KUNZ: A bill (H. R. 5655) granting a pension to Charles A. Evans; to the Committee on Invalid Pensions.

By Mr. MEAD: A bill (H. R. 5656) authorizing the Secretary of War to donate to the town of Blasdel, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5657) authorizing the Secretary of War to donate to the town of Angola, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5658) granting a pension to William J. Hines; to the Committee on Pensions.

By Mr. MONTAGUE: A bill (H. R. 5659) for the relief of Ellen M. Willey; to the Committee on Naval Affairs.

By Mr. MORIN: A bill (H. R. 5660) to reimburse Louis Schultz for damages done property by a Government-owned motor truck; to the Committee on Claims.

By Mr. PATTERSON of New Jersey: A bill (H. R. 5661) authorizing the Secretary of War to donate to the borough of Audubon, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. QUIN: A bill (H. R. 5662) for the relief of Sargeant Prentiss Knut, administrator of the estate of Haller Nutt, deceased; to the Committee on War Claims.

By Mr. SWING: A bill (H. R. 5663) granting a pension to Sarah E. Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5664) granting a pension to Rosamond C. Dailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5665) for the relief of Otto A. Nesmith; to the Committee on Military Affairs.

By Mr. TINCHER: A bill (H. R. 5666) granting a pension to Sarah Gibbs; to the Committee on Invalid Pensions.

By Mr. VOLK: A bill (H. R. 5667) for the relief of Antti Merihelmi; to the Committee on Claims.

By Mr. WARD of New York: A bill (H. R. 5668) for the relief of Cora T. Dering; to the Committee on Claims.

By Mr. WATSON: A bill (H. R. 5669) granting a pension to Hannah White; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 5670) granting a pension to Amanda Ellen Howell; to the Committee on Pensions.

By Mr. WHITE of Kansas: A bill (H. R. 5671) for the relief of John Minster; to the Committee on Military Affairs.

By Mr. WOODYARD: A bill (H. R. 5672) granting a pension to Mary E. Coon; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

416. By Mr. CHALMERS: Petition of the Central Labor Union of Toledo, Ohio, indorsing the legislative program advocated by American Legion in behalf of ex-service men; to the Committee on Ways and Means.

417. Also, petition of the Central Labor Union of Toledo, Ohio, protesting against repeal of excess-profits tax and the establishment of a sales tax; to the Committee on Ways and Means.

418. Also, petition of the Woolner Brewing Co., of Toledo, Ohio, protesting against the continuance of the tax now levied on cereal beverages; to the Committee on Ways and Means.

419. By Mr. DYER: Petition of the St. Louis Brewing Association, protesting against the tax levied against cereal-beverage manufacturers on their products; to the Committee on Ways and Means.

420. Also, petition of the Independent Breweries Co., favoring a repeal of the internal-revenue tax now levied against cereal-beverage manufacturers; to the Committee on Ways and Means.

421. By Mr. FUNK: Petition of Lodge No. 853, Brotherhood of Locomotive Firemen and Enginemen, of Forrest, Ill., protesting against the repeal of the excess-profits tax, and also against the enactment of a sales or turnover tax; to the Committee on Ways and Means.

422. By the SPEAKER (by request): Petition of Springfield Post No. 21, American Legion, Springfield, Mass., favoring immediate relief for veterans of the late war; to the Committee on Interstate and Foreign Commerce.

423. Also, petition of the National Democratic Club of New York City, N. Y., regarding legislation for disabled veterans of the World War; to the Committee on Interstate and Foreign Commerce.

424. By Mr. KELLY of Pennsylvania: Petition of certain residents of Pittsburgh, Pa., of Ukrainian ancestry, relative to the east Galicia situation; to the Committee on Foreign Affairs.

425. By Mr. KISSEL: Petition of Greenpoint Post, No. 241, American Legion, Brooklyn, N. Y., regarding veteran legislation; to the Committee on Interstate and Foreign Commerce.

426. Also, petition of Solon Palmer, New York City, regarding sales tax; to the Committee on Ways and Means.

427. By Mr. MEAD: Petition of A. Wagner, Buffalo, N. Y., opposing the sales tax bill; to the Committee on Ways and Means.

428. Also, petition of the International Brotherhood of Blacksmiths, Drop Forgers, and Helpers, Buffalo, N. Y., opposing the passage of the sales tax bill; to the Committee on Ways and Means.

429. By Mr. MONDELL: Petition of the Riverton Commercial Club and the Dubois Commercial Club, of Riverton and Dubois, Wyo., respectively, asking for an appropriation in the sum of \$158,000 for the purpose of constructing the Riverton-Dubois Highway; to the Committee on Roads.

430. By Mr. SINCLAIR: Petition of Minot Lodge No. 6, Knights of Pythias, Minot, N. Dak., favoring the passage of the Smith-Towner bill; to the Committee on Education.

431. By Mr. SUTHERLAND: Petition of the Huntington Chapter of the American Association of Engineers, urging Federal aid for highways; to the Committee on Appropriations.

432. By Mr. YATES: Petition of Pavey & Co., of Springfield, Ill., by Mr. H. T. Culp, protesting against the Anderson bill, H. R. 232, the Haugen bill, H. R. 14, and the Morris bill, H. R. 659, all providing for restrictive regulation of the packing industry and allied lines; to the Committee on Agriculture.

SENATE.

TUESDAY, May 3, 1921.

(Legislative day of Monday, May 2, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed the joint resolution (S. J. Res. 30) to authorize the President of the United States to appoint an additional member of the Joint Committee on Reorganization, with an amendment, in which it requested the concurrence of the Senate.

CALL OF THE ROLL.

Mr. NORRIS. Mr. President—

Mr. PENROSE. Mr. President, I suggest the absence of a quorum before the Senate proceeds further.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	McKellar	Simmons
Borah	Gooding	McKinley	Smoot
Brandegee	Hale	McLean	Spencer
Broussard	Harrell	McNary	Stanfield
Bursum	Harris	Nelson	Stanley
Calder	Harrison	New	Sterling
Cameron	Heflin	Nicholson	Sutherland
Capper	Hitchcock	Norbeck	Swanson
Caraway	Johnson	Norris	Townsend
Colt	Jones, N. Mex.	Oddie	Underwood
Culberson	Jones, Wash.	Overman	Walsh, Mass.
Cummins	Kendrick	Penrose	Walsh, Mont.
Curtis	Kenyon	Pittman	Warren
Dial	King	Poin Dexter	Watson, Ga.
Dillingham	Ladd	Pomerene	Watson, Ind.
Edge	La Follette	Ransdell	Williams
Fernald	Lenroot	Reed	Willis
Fletcher	Lodge	Robinson	Wolcott
Frelinghuysen	McCormick	Sheppard	
Gerry	McCumber	Shortridge	

Mr. CURTIS. I wish to announce that the Senator from Delaware [Mr. BALL] and the Senator from New Hampshire [Mr. KEYES] are absent on official business.

I wish also to announce that the Senator from Kentucky [Mr. ERNST] is absent on account of illness in his family.

Mr. FLETCHER. I wish to announce that my colleague [Mr. TRAMMELL] is absent on official business and that he will be absent during the entire day.

The PRESIDENT pro tempore. Seventy-eight Senators have answered to their names. There is a quorum present.

RICE PRODUCTION, MILLING, AND MARKETING.

Mr. NORRIS. Out of order, I ask unanimous consent to submit a report from the Committee on Agriculture and Forestry.

I am directed by that committee, to which was referred Senate resolution 56, submitted by the Senator from Arkansas [Mr. ROBINSON] on April 25, to report it favorably with amendments. I understand that the resolution will be printed with the amendments proposed by the committee, and that under the rule it must be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. UNDERWOOD. What is the resolution?

The PRESIDENT pro tempore. It will be read.

The resolution as proposed to be amended by the Committee on Agriculture and Forestry was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

The amendments were, in line 3, after the word "respecting," to strike out "agricultural industries, products, and pursuits, the production, manufacture, and market conditions affecting products, particularly"; in line 8, after the words "United States," to insert "to employ stenographers and accountants"; and in line 14, after the numerals "1922," to insert "To pay the expenses of said investigation, there is hereby appropriated out of the contingent fund of the Senate the sum of \$10,000," so as to make the resolution read:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, is hereby authorized and directed to investigate conditions respecting the production, milling, and marketing of rice. Said committee or subcommittee shall be empowered to hold hearings in Washington or elsewhere in the United States, to employ stenographers and accountants, to examine witnesses, and to issue subpoenas to compel the attendance of witnesses and the production of books, papers, documents, memoranda, and correspondence. Said committee or subcommittee shall report from time to time its findings and recommendations to the Senate and shall make its final report on or before January 1, 1922. To pay the expenses of said investigation there is hereby appropriated out of the contingent fund of the Senate the sum of \$10,000.